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ABSTRACT

This notebook is a collection of materials designed to support the workshops implemented under the Council of Chief State School Officers (CCSSO) Title 9 Equity Workshops Project for elementary-secondary personnel. It contains a collection of background readings and reference materials relevant to Title 9 and sex equity in education as well as the worksheets to be used by participants during workshops. This participant's notebooks has been prepared by the Resource Center on Sex Roles in Education as one component of a multicomponent training model developed under a subcontract with CCSSO. The training model is designed to assist education personnel and interested citizens in the implementation of Title 9 and the attainment of sex equity in education. The training model will be utilized and tested in the 20 regional workshops of the CCSSO's Title 9 Equity Workshops Project. (Author)

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# IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY IN EDUCATION

## PARTICIPANT'S NOTEBOOK

**MATERIALS FOR ELEMENTARY-SECONDARY SCHOOL PERSONNEL**

**TITLE IX EQUITY WORKSHOPS PROJECT**

**COUNCIL OF CHIEF STATE SCHOOL OFFICERS**
**Suite 701/1201 16th Street, N.W.**
**Washington, D.C. 20036**

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CG 012449

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## Preface

This participant's notebook has been prepared by the Resource Center on Sex Roles in Education as one component of a multi-component training model developed under a subcontract with the Council of Chief State School Officers (CCSSO). The training model is designed to assist education personnel and interested citizens in the implementation of Title IX and the attainment of sex equity in education. The training model will be utilized and tested in the twenty regional workshops of the CCSSO's Title IX Equity Workshops Project. The Title IX Equity Workshops Project is funded under contract #300-76-0456 with the Women's Program Staff of the U.S. Office of Education, Department of Health, Education, and Welfare (DHEW). Funds for the development of participant materials to support the training model and regional workshops were provided by the National Institute of Education (DHEW) under contract #P-77-0139.

This notebook is a collection of materials designed to support the workshops implemented under the CCSSO Title IX Equity Workshops Project for elementary-secondary personnel. It contains a collection of background readings and reference materials relevant to Title IX and sex equity in education as well as the worksheets to be used by participants during workshops.

The participant's notebook was prepared by Shirley McCune and Martha Matthews, who designed the overall training model.

Acknowledgment is given to Sarita Schotta, Project Monitor, National Institute of Education for the advice and assistance provided in the development of the participant materials for the regional workshops. Acknowledgment is also given to M. Patricia Goins, Project Monitor, Women's Program Staff, U.S. Office of Education and to Joan Duval, Director, Women's Program Staff for their advice and assistance in the implementation of the contract for the CCSSO Title IX Equity Workshops Project.

Special appreciation is extended to the eleven subcontractors implementing the elementary-secondary workshops in the various HEW regions for their contributions and support throughout the project. These subcontractors and the dates and locations of their workshops are listed on the following two pages.

September 1977

| Region | Date | Location | Contact |
|---|---|---|---|
| I | Nov. 3-5 | Hartford, Connecticut | Martha O'Reilly<br>New England Equal Education Center<br>38 Woodland Street<br>Hartford, Connecticut 06105<br>(203) 522-7166 |
| II* | Oct. 27-29 | New York, New York | Mae Timer<br>New York State Department of Education<br>99 Washington Avenue<br>Albany, New York 12230<br>(518) 474-5820 |
| III | Oct. 12-14 | Morgantown, West Virginia | Tony Smedley<br>West Virginia Department of Education<br>Capitol Complex, B-252<br>Charleston, West Virginia 25305<br>(304) 348-3303 |
| IV | Oct. 20-22 | Atlanta, Georgia | Rita Bornstein<br>University of Miami<br>P.O. Box 8065<br>Coral Gales, Florida 33124<br>(305) 284-3213 |
| V | Dec. 9-10 | East Lansing, Michigan | Ruby King<br>Michigan Education Association<br>P.O. Box 673<br>East Lansing, Michigan 48823<br>(517) 332-6551 |
| | Oct. 19-21 | DeKalb, Illinois | John M. Nagle<br>Northern Illinois University<br>101 Gabel<br>DeKalb, Illinois 60115<br>(815) 753-1463 |
| VI | Oct. 12-13 | Dallas, Texas | Frances Allen<br>Dallas Independent School District<br>3700 Ross Avenue<br>Dallas, Texas 75204<br>(214) 824-1620 |
| VII | Sept. 21-23 | Kansas City, Missouri | Murray Hardesty<br>Center for Educational Improvement/University of Missouri<br>408 Hitt Street<br>Columbia, Missouri 65201<br>(314) 882-4696 |

*[See reverse for additional listings.]*

| Region | Date | Location | Contact |
|---|---|---|---|
| VIII | Sept. 30-Oct. 2 | Denver, Colorado | Jean Kennedy<br>Education Commission of the States<br>1860 Lincoln Street<br>Denver, Colorado 80295<br>(303) 893-5200 |
| IX | Sept. 29-Oct. 1 | San Francisco, California | Barbara Peterson<br>California State University<br>Fullerton, California 92634<br>(714) 870-3141 |
| X | Jan. 22-24, 1978 | Portland, Oregon | Kathryn Preecs<br>Northwest Projects Office for Educational Service<br>Portland State University<br>P.O. Box 751<br>Portland, Oregon 97207<br>(503) 229-4624 |

## HEW REGIONS

The workshops are organized according to HEW regions. States included in each region are:

I: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
II: New Jersey, New York, Puerto Rico, Virgin Islands
III: Delaware, Maryland, Pennsylvania, Virginia, Washington, D.C., West Virginia
IV: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee
V: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
VI: Arkansas, Indiana, Michigan, Minnesota, Ohio, Wisconsin
VII: Iowa, Kansas, Missouri, Nebraska
VIII: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
IX: Arizona, California, Hawaii, Nevada, Guam
X: Alaska, Idaho, Oregon, Washington

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# INTRODUCTORY MATERIALS

# AN INTRODUCTION TO THE PARTICIPANT'S NOTEBOOK

This notebook is designed for use by participants in 11 regional workshops being implemented under the Title IX Equity Workshops Project of the Council of Chief State School Officers. The workshops are designed to assist elementary and secondary education personnel and citizens working to implement Title IX of the Education Amendments of 1972 and to attain sex equity in their education agencies and institutions. These workshops are being carried out by 11 organizations who are working with the Project as sponsors of the regional workshops.

Included in the notebook are both working tools designed for participants' use during the workshops and reference materials for future use. Participants are urged to use this notebook as a beginning for or addition to collections of resource materials related to Title IX and educational equity.

The notebook is organized into four major sections:

- **Introductory Materials**

  This section of the notebook provides summaries of the Title IX Equity Workshops Project and of the organization of the workshop and training model developed for the Project by the Resource Center on Sex Roles in Education.

- **Reference Materials**

  The materials included in the second section of the notebook summarize the information and concepts provided in the three Generic Sessions of the workshops. They include information on:

  —the legal and social/educational contexts of Title IX

  —the Title IX regulation and the procedural compliance requirements

  —planning for change to implement Title IX and to attain sex equity in education

- **Generic Session Worksheets**

  The worksheets to be used by participants in the three Generic Sessions of the workshops are collected in this section of the notebook.

- **Resources for Implementing Title IX and Attaining Sex Equity in Education**

  The last section of the notebook contains a listing of resources which can assist educators in the implementation of Title IX and the attainment of sex equity in education.

Blank pages are included at the end of the notebook for participants' notes.

# AN INTRODUCTION TO THE TITLE IX EQUITY WORKSHOPS PROJECT

The 20 regional workshops on "Implementing Title IX and Attaining Sex Equity" are one component of four components of the Title IX Equity Workshops Project of the Council of Chief State School Officers. These workshops, designed to assist educators in the implementation of Title IX and the provision of equity for females and males in education policies, programs, and practices, are being implemented with the assistance of 15 cooperating organizations.

An overview of the total project is provided below as a means of suggesting a context for the workshop activities.

**Project Overview**

The Council of Chief State School Officers was awarded an 18-month contract for "National Regional Dissemination Workshops and Development of Technical Assistance Materials for Title IX of the 1972 Education Amendments" by the U.S. Office of Education under funds authorized by the Women's Educational Equity Act. The purpose of this project is to design a training package which can be used at the local, state, regional, and national levels to facilitate Title IX compliance; and to implement, evaluate, and disseminate this training package through 2 national and 20 regional workshops.

The activities of the project are organized within four major components:

- ***The development of a training package to disseminate technical assistance materials and to train key personnel to utilize these materials in implementing policies and programs to provide educational equity.***

  This training package is designed to provide educational personnel with content and experiences which can assist them in developing:

  —an understanding of sex discrimination and sex bias in education;

  —an understanding of the requirements of Title IX and its implementing regulation;

  —capability for the development and implementation of policies, programs, and management systems to ensure educational equity.

  Two training packages have been developed: one for persons working in or with elementary-secondary schools and the other for persons working in or with institutions of postsecondary education. The packages are being utilized in 20 regional workshops: 11 for elementary-secondary personnel and 9 for postsecondary education personnel. These workshops are distributed throughout the 10 HEW regions. The training package is designed for ultimate independent use by institutions and agencies at local, state, regional, and national levels.

- ***The implementation of two invitational national workshops for educational leaders at the elementary-secondary and postsecondary levels.***

  The first national workshop was held in March 1977; it was designed to inform educational leaders of the training strategy and to involve them in:

  - –assessment of the technical assistance needs of education institutions and agencies related to the attainment of sex equity and Title IX compliance;
  - –review and development of strategies for meeting identified technical assistance needs;
  - –identification of resources which can facilitate the implementation and further dissemination of the workshop package.

  A second national workshop will be in early 1978 after the completion of the regional workshops. Participating educational leaders will be involved in:

  - –review and evaluation of the workshop package and regional workshops;
  - –development and planning of strategies for continuing dissemination of the training packages;
  - –identification of continuing technical assistance needs and forecasting of future technical assistance needs related to sex equity in education.

- ***The implementation of 20 regional workshops for the dissemination of the training package.***

  These regional workshops provide an opportunity for the field testing, evaluation, and dissemination of the training packages developed. The regional workshops are being planned and implemented by subcontractors in each of the HEW regions, under the supervision and training of the Regional Offices of Education. Eleven workshops are being conducted for elementary-secondary personnel; 9 are being conducted for postsecondary personnel. The 20 regional workshops are scheduled between September 1977 and January 1978.

- ***The development and implementation of a comprehensive plan for the evaluation of the training strategy and training materials developed.***

  Persons representing education constituencies at all levels will be involved in the evaluation of the training package and technical assistance materials to be developed and in the assessment of the effectiveness of the regional and national workshops. Both formative and summative evaluations are being conducted.

  Among the evaluation techniques used are on-site workshop evaluation by both participants and outside evaluators, follow-up surveys to assess post-workshop dissemination and use of materials, and continuing evaluation and review by experts representing affected constituencies at all educational levels.

The Resource Center on Sex Roles in Education has worked with the CCSSO Title IX Equity Workshops Project in the development and revision of the workshop materials. A National

Project Advisory Committee made up of representatives from 15 national education organizations and subject matter experts has provided guidance in the planning, implementation, and evaluation of the project.

**Participant Materials**

The funds available under the Women's Program Staff contract provided for the development of the training model and the implementation of the 20 regional workshops. As plans for the project progressed, the desirability of supporting the training model and the regional workshops with coordinated materials for participants became evident.

A proposal for the development of participant materials to support the training provided in the regional workshops was funded by the National Institute of Education. The participant materials are designed to provide a summary of the major concepts and information presented during the training and to assist participants in applying these concepts and information to their own education policies, programs, and practices.

# "IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY IN EDUCATION"— AN INTRODUCTION TO THE WORKSHOP

The purpose of the regional workshops being implemented by the Council of Chief State School Officers' Title IX Equity Workshops Project is to provide technical assistance to education personnel and interested citizens in the implementation of Title IX and the provision of equity for females and males in education institutions and agencies.

The workshops are organized into a sequence of five three-hour sessions. Three of these sessions are known as Generic Sessions; they are designed to provide general information and experiences which are relevant to all participants. The other two sessions, known as Application Sessions, are designed to provide specialized information and experiences to persons from six different role groups who work in or with elementary and secondary education agencies.

The sequence of the sessions is outlined below:

Generic Session One – Implementing Title IX and Attaining Sex Equity: The Context of Title IX

Generic Session Two – Title IX: The Regulation and the Grievance Process

Application Session A – Application sessions are provided for:

- –Administrators, Title IX coordinators, and school board members
- –Instructional staff
- –Counselors and pupil personnel staff
- –Physical education and athletics staff
- –Vocational education personnel
- –Community groups

Application Session B – The application sessions continue; participants remain in their same role groups

Generic Session Three – Implementing Title IX and Attaining Sex Equity: Planning for Change

The Generic Sessions focus on the following content:

- the legal and social/educational contexts of Title IX
- the Title IX regulatory requirements and related administrative interpretations and case law
- specific programs, methods, and techniques for ensuring nondiscrimination and sex equity in education policies, programs, and practices

Application Sessions provide participants with the opportunity to:

- increase their skills in the identification of sex discrimination as prohibited by Title IX
- identify the implications of Title IX for their own job functions and plan their own job-related activities to ensure Title IX compliance and the achievement of sex equity in education
- consider actions which can be taken by their agencies to ensure Title IX compliance and the achievement of sex equity in agency policies, programs, and practices

The reference materials included in this *Participant's Notebook* are designed to reflect the content of the three Generic Sessions; worksheets included in the *Notebook* are those used by participants in the Generic Sessions. The specific objectives of these sessions are listed below.

The objectives for *Generic Session One* include:

- to provide participants with an opportunity to assess their awareness of differential treatment of males and females in their schools and the impact of Title IX
- to provide participants with a review of the legal context of Title IX, an overview of Federal antidiscrimination laws, and the opportunity to assess their skills in identifying discrimination in schools
- to provide participants with an understanding of differential sex-role socialization as it is manifested in schools
- to encourage participants to identify goals for nonsexist education

The objectives for *Generic Session Two* include:

- to review with participants the requirements of the regulation to implement Title IX of the Education Amendments of 1972
- to provide participants an opportunity to assess their own understandings of Title IX requirements by sharing questions and answers with others
- to provide participants with an understanding of the significance of Title IX grievance procedures as a method for resolving complaints of sex discrimination and for monitoring Title IX compliance

- to provide participants with information regarding the structural components or characteristics of an effective grievance procedure and an opportunity to evaluate the structure of several sample grievance procedures

- to increase participants' understanding of and skills related to their own potential responsibilities for grievance problem solving

- to provide participants an opportunity to increase their skills in identifying Title IX violations and in formulating corrective or remedial actions appropriate to these violations through the analysis of sample Title IX grievances

The objectives for *Generic Session Three* include:

- to provide participants with an overview of some of the necessary conditions for change related to Title IX and sex equity in education and of the types of strategies available for planning and implementing change efforts in these areas

- to provide participants with a framework for diagnosing organizational change needs related to Title IX and sex equity and for designing action strategies which would be appropriate for meeting these needs

- to provide participants with an opportunity to develop preliminary plans for organizational change which could contribute to the full implementation of Title IX and achieving sex equity in their districts

- to increase participants' skills in developing action programs related to Title IX and sex equity for implementation in their own job functioning

Three major assumptions have guided the design of the workshop materials and processes. These assumptions are:

- ***Title IX is one part of a total educational equity movement.***

  Title IX is an evolutionary step in our nation's efforts to provide equity for all citizens. Our experience with years of attempting to eliminate race discrimination and bias in education provided the foundation for our understandings of sex discrimination and for the strategies and technology which may be used in its elimination.

  Anyone working to attain educational equity must remember the multiple ways that equity may be denied—on the basis of race, national origin, religion, cultural identity, sex, mental, emotional, or physical handicap, and social class—and work to ensure that the needs of all students are provided for.

- ***Our nation's concern for educational equity is a reflection of changes in our society and it is a crucial step in preparing for a more enlightened future society.***

  Our nation's concern for human and civil rights of various groups is rooted in the evolution of our society as it is affected by widespread social, economic, and technological change. Schools have the responsibility for preparing all students to participate in and to deal with these changes. Failure to achieve educational equity limits the potential attainments of our future society. Educational equity is not just a moral goal; it is a survival goal for our democratic society.

- ***The movement for educational equity is an important vehicle for educational reform.***

  Educators can be proud of the many accomplishments of our educational system. Despite these accomplishments, however, the changing nature of our society demands that we move on to greater achievement. Efforts to attain educational equity can contribute to implementation of many of the basic educational reforms which are needed. The greater individualization of instruction, the preparation of students for a variety of life roles, and the involvement of students in learning how to learn—these reforms are possible within the context of educational equity.

It is hoped that the workshop experiences and materials will assist participants in actualizing these assumptions and providing greater equity and higher quality education for all students.

# REFERENCE MATERIALS

# THE LEGAL CONTEXT OF TITLE IX: A SUMMARY OF FEDERAL LAWS PROHIBITING RACE AND SEX DISCRIMINATION IN LOCAL EDUCATION AGENCIES

Title IX of the Education Amendments of 1972 is one of the most recent in a series of Federal laws designed to increase equality of opportunity in education institutions. Since the 1954 Supreme Court decision regarding *Brown v. The Board of Education*, Federal and State legislatures, the courts, our education systems, and the society at large have been involved in continuing efforts to identify and eliminate various forms of discrimination and to define better the nature of equal educational opportunity. Title IX is the result of our recent recognition of the fact that many education institutions discriminate against students and employees on the basis of sex. Earlier legislation was enacted to prohibit discrimination on the basis of race and national origin.[1] It is important for several reasons that Title IX compliance efforts be considered in the context of this earlier legislation:

- It is important that efforts toward the implementation of these other laws be maintained.
- These laws provide language and case law or legal precedent which influenced the Title IX legislation and its implementing regulation, and will continue to affect future judicial interpretation of Title IX.
- Familiarity with these other laws will enable educators to recognize when efforts and programs directed toward Title IX compliance may be used to address other forms of discrimination and when separate programs are required to address unique needs related to a particular form of discrimination.

Four Federal antidiscrimination laws relevant to local education agencies prohibit discrimination based on race, national origin, or sex. These include:

**Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act prohibits discrimination against students on the ground of race, color, or national origin in programs receiving Federal funds. Title VI and related case law prohibit discrimination on the basis of race in student admissions, student access to courses and programs, and student policies and their application. (Title VI is the law underlying school desegregation efforts and efforts to provide bilingual instruction or some other method of comprehensible education for students of limited English speaking ability.) Any institution or agency receiving Federal funds is covered by Title VI. Most education activities of a recipient agency or institution are covered, including activities or programs not in direct receipt of Federal funds. It was the language of Title VI which provided the model for Title IX.

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[1]More recent legislation prohibits discrimination against the handicapped. This legislation is an important antidiscrimination requirement for local education agencies, but it will not be included in this summary.

Procedures for the filing of possible complaints of racial or ethnic discrimination are provided under the legislation. Such complaints should be filed with:

- **The Office for Civil Rights**
  **U.S. Department of Health, Education, and Welfare**
  **Washington, D.C. 20201**

or

- **a regional Office for Civil Rights**
  **U.S. Department of Health, Education, and Welfare**

**Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972**

Title VII of the Civil Rights Act prohibits discrimination in employment on the basis of race, color, religion, national origin, or sex. All institutions or agencies with 15 or more employees—including State and local governments and labor organizations—are covered under the amended Act. Title VII prohibits discriminatory practices in all terms and conditions of employment, including:

- recruitment, selection, assignment, transfer, layoff, discharge, and recall
- opportunities for promotion
- in-service training or development opportunities
- wages and salaries
- sick leave time and pay
- vacation time and pay
- overtime work and pay
- medical, hospital, life, and accident insurance
- retirement plans and benefits
- other staff benefits

A substantial body of case law and legal precedent has been developed under Title VII; this provides many of our currently accepted standards for nondiscrimination in employment. Many of the provisions in the employment section of Title IX regulation are based on Title VII.

Complaints of employment practices which discriminate in violation of Title VII should be made to:

- **The Equal Employment Opportunity Commission**
  **2401 E Street, N.W.**
  **Washington, D.C. 20037**

or

- **a regional Office of the EEOC**

In instances where State or local fair employment practices laws provide procedures for the handling of complaints of discrimination, the complaint may be referred to the State or local agency for a 60-day period of time. If the complaint is not resolved at this level, the EEOC assumes responsibility for investigation and conciliation. If this fails, the EEOC, the U.S. Attorney General, or the complainant may file suit.

**The Equal Pay Act of 1963 as amended by the Education Amendments of 1972**

The Equal Pay Act prohibits sex discrimination in salaries and most fringe benefits. All employees of education institutions and agencies, including those in professional, executive, and administrative positions, are covered by the Equal Pay Act.

The Act provides that a man and a woman working for the same employer under similar conditions in jobs requiring substantially equivalent skills, effort, and responsibility must be paid equally even when job titles and assignments are not identical. Interpretations of the Equal Pay Act will influence interpretation of such issues under Title IX, whose regulation contains language similar to that employed in the EPA.

Employers are required to maintain specified records relevant to the determination of possible violations of the law. Complaints may be filed with:

- Employment Standards Administration
  Wage and Hour Division
  U.S. Department of Labor
  Washington, D.C. 20210

or

- a regional Office of the U.S. Department of Labor

The complaint process provided under the EPA is the simplest and most direct of all those mentioned in this review.

**Title IX of the 1972 Education Amendments**

Title IX prohibits discrimination on the basis of sex against students and employees of education programs and activities receiving Federal funds. Nearly all elementary, secondary, and postsecondary instituiuons are covered under this legislation. The Title IX regulation prohibits sex discrimination in such areas as:

- admissions to vocational, graduate, professional, and public undergraduate schools
- student access to courses and programs
- counseling and guidance—tests, materials, and practices
- physical education and athletics
- vocational education programs
- student rules and policies

- treatment of married and/or pregnant students
- financial assistance
- student housing
- extracurricular activities
- employment in education institutions

The regulation covering Title IX requires education agencies and institutions to develop grievance procedures for the local handling of complaints of discrimination. This procedure may be used or complaints may be filed directly with:

- **The Office for Civil Rights**
  **U.S. Department of Health, Education, and Welfare**
  **Washington, D.C. 20201**

or

- **a regional Office for Civil Rights**
  **U.S. Department of Health, Education, and Welfare**

# THE SOCIAL/EDUCATIONAL CONTEXT OF TITLE IX: VEHICLES AND POSSIBLE OUTCOMES OF SEX BIAS IN EDUCATION

In order to understand the significance of Title IX of the Education Amendments of 1972 and of recent efforts to attain sex equity in education, it is useful to consider some of the research which exists regarding sex differentiation and bias in education. The design and implementation of programs which comply not only with the letter of Title IX requirements but also with their spirit is facilitated by a knowledge of the ways in which sex bias actually operates in schools.

The next few pages will summarize some of the major research regarding the vehicles through which sex bias is transmitted in schools and the possible outcomes of this bias for the academic achievement and self-concepts of female and male students.

In considering the data presented, it is important to keep in mind the somewhat paradoxical demands placed on education in our rapidly changing society. First, education is expected to *conserve* and to maintain social stability by transmitting to students the knowledge, skills, and experience of the past. Second, it is expected to *anticipate* the evolution of society and to provide the present generation of students with the knowledge and skills which will be needed by the individuals and the society of the future. Our education institutions have generally been more effective in transmitting the experience of the past and contributing to social continuity than in anticipating the needs of students and society in the future. In so doing, they have also functioned to perpetuate existing inequities and discrimination. Schools have often sorted and stratified students on the basis of race, ethnicity, social class, and sex, according to the assumptions, biases, and values of the past rather than the actualities of the present or the needs of the future.

The research summarized in the following pages documents the ways in which schools have transmitted sex-role stereotypes and biases which are not consistent with the future needs and roles of students of both sexes. It should also suggest goals for the modification of education programs so that they may better meet the present and future needs of both females and males and comply with the letter and spirit of Title IX.

**Vehicles of Sex Bias in Education**

Research suggests that the traditional sex-role assumptions and values of our society are transmitted in a variety of ways in education institutions. Instead of assisting all students, female and male, to explore a variety of traditional and nontraditional roles, fields, and options, and to identify those most appropriate to their own individual needs, interests, and abilities, schools function largely to prepare both females and males for the roles traditionally considered appropriate to their sex (and females and males of racial-ethnic minority groups for those roles traditionally considered appropriate for their sex *and* race). In so doing, schools transmit stereotypes which limit the full development of all students. Stereotypes are transmitted and reinforced through most of the traditional vehicles of educational socialization: textbooks and instructional

materials, the behavior of school personnel, counseling and guidance, sex segregation in schools and school groupings, vocational education, physical education and athletics, extracurricular activities, and role modeling within the education profession.

• **Textbooks and instructional materials**—Textbooks convey not only academic or cognitive information for student mastery but also affective information regarding the assumptions, values, and biases of a culture. Numerous studies have documented that the presentation of sex roles in these materials is traditional and limiting.[1] Females are relatively invisible, usually characterized in their infrequent appearances as passive, dependent, and emotional creatures defined primarily by family roles. Males are generally portrayed in opposite but equally stereotypical roles: they are usually striving and achieving in adventure, career, or public roles, with little family or emotional life or human limitations. These images are consistent across subject areas or discipline and throughout all educational levels.

Although several recent studies have documented some improvement in the treatment of racial-ethnic minorities in textbooks,[2] it is interesting to note that this has been primarily through inclusion of minority males. Minority females remain by far the most underrepresented and most stereotyped group in textbooks.[3]

• **School personnel behavior**—The behavior of school personnel provides students with a reflection of society's expectations for their lives, how they will be valued, and what they may become. Research indicates that teachers and administrators hold different behavioral and academic expectations for females and males and often behave in ways which reinforce passivity and dependence in females and aggression and independence in males.[4] Although many educators have heard the finding that boys in the elementary school are punished more frequently than girls are, studies also show that boys receive more active teacher attention in every category of teaching behavior: active instruction, listening, praise, and punishment.[5]

It is difficult to identify studies which look at sex *and* race as influences on school personnel behavior, or which look at the behavior of school personnel toward children other than white and Black children. Studies do indicate, however, that teachers give less attention to Black students than to white students,[6] and that many hold lower expectations for Black students than for whites.[7] Again, sex-race interactions in this area (e.g., how teachers may treat minority females differently than either white females or minority males) remain to be investigated.

• **Counseling and guidance**—It is probably in academic and career guidance that the functioning of schools as a societal "sorting" mechanism is most explicit. Research has shown that both male and female counselors hold differential perceptions of appropriate course selection and career choices for female and male students,[8] and that these traditional biases are reflected in many counseling instruments and materials.[9] It should also be noted that the theories of career development on which many of our school counseling services and materials are based are theories which reflect only the experiences of white males. The relevance of these theories to any females and to minority males is highly questionable.[10]

• **Sex-segregated schools and school groupings**—Separate schools for males and females, sex-differentiated graduation requirements (industrial arts for males; home economics for females); and sex differentiation in academic or classroom maintenance assignments all combine to reinforce the legitimacy of differential expectations regarding the roles and abilities of males and females. Although policies of either sex segregation or race segregation are illegal, evidence is substantial that both forms of segregation are perpetuated through student tracking practices. Racial-ethnic minority males are a disproportionately high percentage of the students enrolled in special classes.[11] At least one study has demonstrated that racial-ethnic minority females are

tracked into those traditionally-female areas of vocational education for which anticipated earnings are lowest.[12]

• **Vocational education**—Vocational education provides a direct link between education and the employment system. Of 136 instructional categories within the nation's vocational education programs, 71 percent have enrollments of at least 75 percent of one sex or the other; almost one-half have enrollments over 90 percent of one sex or the other. Females predominate in those programs providing preparation for lower-paying vocations.[13] As was just noted, there is some evidence that minority women are disproportionately concentrated in those areas of training for which anticipated pay is lowest.

• **Physical education and athletics**—Although all individuals should be encouraged to develop healthy bodies and body images and the commitment and skills for their maintenance, physical education and athletic programs from preschool through college operate to minimize the importance of physical development for females. Physical education programs become increasingly sex differentiated as students progress through school, and athletic opportunities for females become more and more constricted. As the emphasis upon competition increases, increasingly greater proportions of male students are also shortchanged.[14]

The participation of minority students, particularly Black males, in athletics is worth a special mention. At least one writer has suggested that the emphasis upon athletics for Black males may result in the deemphasis of academic performance, which in turn may result in narrower educational and career opportunities for the many Black male athletes who do not succeed in professional sports.[15]

• **Extracurricular activities**—Sex differentiation in academic honors, academic and social organizations, and interest groups is prevalent. This reflects and perpetuates the dual system of expectations and rewards apparent in the more formal educational activities. Here again, as in other areas, interactions between sex and race differentiation are not unusual. For example, it is only very recently that minority women have entered the traditionally female activities such as cheerleading or pep club.

• **Sex-stereotyped assignments of roles in the education profession**—Role modeling is a powerful form of learning. As students perceive that the proportion of females declines with increasing educational level and administrative responsibility, they gain salient information about the roles available to them in the future. Although women comprise 83% of the elementary school teachers, they are only 46% of all secondary school teachers, 13% of all principals, and 14% of all administrators.[16] The message conveyed to young women by this distribution is clear. Minority educators, like female educators, decline in representation with progressive administrative levels. Although this decline is not as severe in degree as is the decline for females (for example, minority persons are 13% of all elementary teachers but only 7% of all administrators),[17] the bias is compounded by the fact that minority educators are most frequently assigned to schools or districts in which minority students predominate. Although this situation may provide positive role models for minority students, it may also convey to minority females and males the message that their only future is in segregated institutions.

These data suggest that education programs reflect differential expectations, curricula, and reinforcements for male and female students, and that these expectations and rewards are further differentiated on the basis of race and ethnicity. Although direct causal relationships remain uninvestigated, it is unlikely that students progress through school untouched by these powerful and consistent reinforcements of traditional roles. The very differentiated roles are not consistent with the changing roles of males and females of all racial-ethnic groups in our society and do not

accommodate the full range of options needed by students. It is clear that schools are neither meeting the current needs of all females and males nor planning for the continuing changes that will impact the future lives of their students."

**Possible Outcomes of Sex Bias in Education**

It is difficult to separate the effects of formal education on the development of females or males from those of such informal education agents as the family or the media. Data suggest, however, that our education agents, formal and informal, are failing to provide females with the self-images, knowledge, and skills necessary to enable them to function successfully in a diversity of adult roles.

Although educational achievement is an imperfect measure of preparation for adult roles, it does provide us with one indication of possible differences in the preparedness of females and males. A recent report of the National Assessment of Educational Progress (NAEP), a project of the Education Commission of the States, documents major disparities in the educational achievement of males and females: [18]

- Results from NAEP assessments in eight learning areas show that males generally do better than females in four major subjects: mathematics, science, social studies, and citizenship.

- In the four other learning areas, females consistently outperform males to any large degree in only one (writing); maintain a slight advantage in one (music); and in the remaining two subjects (reading and literature) are above male achievement levels at age 9, then drop to lag behind males by the young adult ages 26-35.

- What is particularly puzzling in comparing male-female achievement is that in the male-dominated areas (mathematics, science, social studies, and citizenship), males and females at age 9 show scholastic understandings that are fairly equal. By age 13, however, females have begun a decline in achievement which continues downward through age 17 and into adulthood.

(Note: Information regarding any racial-ethnic differences affecting female and male performance on the Assessment is not available.)

We can hypothesize two interpretations of these data. The first interpretation would suggest that differences in intellectual ability between males and females limit girls' academic achievement. A comprehensive analysis and review of research regarding basic psychological sex differences by Eleanor Maccoby and Carol Jacklin[19] indicates that this interpretation is not supported.

Maccoby and Jacklin conclude that there is no difference between males and females in basic learning styles; there is no sex difference in ability to perform either rote learning tasks or tasks requiring higher level cognitive processing. Further, females and males do not differ on tests of analytic or cognitive style. Although Maccoby and Jacklin do conclude that males excel in visual-spatial and mathematical ability, which is consistent with their superior performance on the mathematics section of the NAEP, they also find that females have greater verbal ability than males. It is thus difficult to attribute the performance deficit of females on the nonmathematical portions of the Assessment to basic sex differences in ability. A more plausible interpretation is that these performance differences are the result of sex-differentiated patterns of educational socialization which perpetuate traditional male and female stereotypes.

Data compiled by Myra Sadker in her 'Report Card on Girls and School,'[20] many of which provide information on sex differences in self-image, also indicate differences between females and males in their preparedness to function in independent and paid work roles. These data, like the NAEP statistics, also indicate the increase of these sex differences with age. (It is important to note, however, that most of the data are based on white, middle class populations, and they should not be generalized to apply to all cultural groups without further investigation.)

- Intellectually, girls start off ahead of boys. They begin speaking, reading, and counting sooner; in the early grades they are even better in math. However, during the high school years, a different pattern emerges and girls' performance on ability tests begins to decline. Indeed, male students exhibit significantly more IQ gain from adolescence to adulthood than do their counterparts.[21]

- By the time they reach the upper elementary grades, girls' visions of future occupations are essentially limited to four: teacher, nurse, secretary, or mother. Boys of the same age do not view their future occupational potential as so limited.[22]

- A more recent study indicates that although more elementary school girls are beginning to consider a variety of careers, they are unable to describe in any specificity what having a career would be like. Boys, in contrast, are able to describe in detail the activities which might comprise their chosen career.[23]

- Although women make better high school grades than do men, they are less likely to believe that they have the ability to do college work.[24]

- Decline in career commitment has been found in girls of high school age. This decline was related to their feelings that male classmates disapproved of a woman's using her intelligence.[25]

- Of the brightest high school graduates who do not go on to college, 75-90 percent are women.[26]

- The majority of male and female college students feel the characteristics with masculinity are more valuable and more socially desirable than those associated with femininity.[27]

Most of the data which exist on sex differences in educational outcomes document the deficits of females on various academic and career-related achievement or self-concept measures. Also significant, although less well documented, is the pressure for independence, competition, and career success and achievement which may produce stress and anxiety in males, and may deny them the opportunity to acquire the noncompetitive, affective, and interpersonal skills needed for human living.

Another important area in which little research has been done is the area of racial-ethnic differences as they may affect the kinds of sex differences in academic and career aspirations and self-perceptions we have just reviewed. Most of the few studies which do exist deal only with one minority group—Black Americans—and many issues remain to be explored both with regard to Black females and males and with regard to Spanish heritage Americans, Asian Americans, Native Americans, and others. Some of the studies which do exist will be summarized below, primarily to emphasize the importance of considering the racial-ethnic variables which may affect the educational needs of females and males.

One group of studies seems to indicate some similarity between the traditional views of the feminine roles held by Black women and those held by white women. Several studies have indicated that the career aspirations of Black college women, like those of white women, are primarily toward traditional "feminine" career roles.[28] Other studies indicate, however, that Black women, unlike white women, tend to see working, rearing children, and fulfilling a wifely role as compatible.[29]

At least one study suggests that among Black high school students in a rural Southern area, it is Black males who hold low career and educational aspirations. In this study, Black males and females and white males and females were surveyed regarding their occupational and educational expectations. The findings were that Black females exceeded both white males and females in their expectations while Black males consistently fell below the other three groups in expectation level.[30]

The occupational participation of Black women (and probably Black men also) may be limited by more than aspiration levels. We noted earlier that young white women were less able than young white men to describe occupational roles in any specificity. A 5-year study of over 5,000 Black and white women ages 14-24 indicated that Black women were less able than white women to describe the duties in each of 10 occupations—assembler, key punch operator, bank teller, department store buyer, dietician, statistical clerk, nurse's aide, social worker, medical illustrator, and quality control girl (sic) in a bakery.[31] The lack of such information is likely to have a significant effect on the educational and occupational aspirations and choices of Black women.

One of the most inclusive studies of the interaction of sex and race differences in attitudes was a survey administered to 1,750 preadolescent children—white, Black, Chicano, and Asian American children. The survey measured: self-esteem, school orientation, peer orientation, and orientation to family authority in these children. The results of the survey indicated that:

- sex differences were more salient than other differences with regard to school orientation (boys liked school less than girls, regardless of racial-ethnic background)
- race differences were most salient with regard to family orientation (white children were less oriented to family authority than minority children)

In summarizing the results of the survey, the researcher concluded that "all in all, sex was found to be a more powerful influence on preadolescent attitudes than race and social class status" and that "across the society, the differences in the socialization of boys and girls are influenced by race and social class in minor ways."[32]

As these few studies indicate, much work remains to be done if we are to understand the interaction of race and sex factors as they affect the educational needs of females and males from racial-ethnic minority groups. It is important, however, that we remember that sex differentiation and stereotyping may affect females and males regardless of their race or ethnic background, although the effects may take a variety of forms. It is only by recognizing the forms of stereotyping and differentiation which exist that we may design education services and programs in such a way as to comply fully with Federal antidiscrimination laws and to contribute to the optimal growth of all students.

**Goals for Educational Equity**

These data on vehicles of sex bias in schools and the possible outcomes of this sex bias for students suggest several general goals for increasing sex equity in education programs. If schools

are to deliver truly equitable services, they must prepare all students for full human functioning. Schools must:

- Provide both males and females of all racial-ethnic groups with an incremental program of career exploration, job skills training, and general preparation for meaningful participation in the paid workforce. Both females and males must be prepared to include paid work and career development as a part of their life plans. They must be equipped to design lifelong career development efforts and to view employment as a positive vehicle for growth as well as a method of economic maintenance.

- Provide both females and males of all racial-ethnic groups with attitudes, knowledge, and skills that increase their capability for both independent and interdependent living. Girls need to learn the skills of independent living and functioning in the variety of economic, political, social, and psychological roles of adult life. Boys must be provided not only with the capabilities necessary for independent lives outside the home, but also the capabilities for participating fully in the maintenance of home and family.

- Prepare all boys and girls, men and women with the skills of living with the rapidity of social change that our society is experiencing. All persons must be equipped with the attitudes, skills, and knowledge that facilitate continued learning and to act upon those changes which have relevance for their lives.

It is with such general educational goals in mind that Title IX requirements may be most effectively understood and implemented. Title IX reflects the assumption that in our society, educational experiences which are of value to persons of one sex are of potentially equal value to persons of the other sex. Implementation of Title IX requirements is one step toward the provision of educational services which can function to prepare all students for the future roles which await them. .

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# SEX DIFFERENCES AND EDUCATION

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Do boys and girls differ in ways that are important to their education? If so, what are the causes of the differences? Should education be geared differently for boys and girls in order to achieve equality of education? Do teachers treat boys and girls differently? And if they do, is it because the children act differently, thus bringing out different responses from the teachers?

In the following paper I will review research relevant to these and related questions which bear on sex differences in education. In some areas much research has been done and our conclusions can be relatively firm. In other areas we will find very little research has been done and we will only be able to speculate about these questions.

In all of the research, however, there are some general shortcomings that we must keep in mind: 1. All the discussion about sex differences focuses on *average* differences between males and females. There is *always* very much overlap between the sexes. 2. Most of the studies have been done on white middle-class American children. Therefore, many of our conclusions may not be generalizable further than that group. 3. The subtlest methodological problem is a bias in the research toward finding differences. In the social sciences, if you do not find a difference between groups, you usually can't publish your findings. Thus a researcher who finds a difference between boys and girls will have an easier time publishing the results than the same researcher when a difference is *not* found. If findings of no differences (or null findings) are published, they are usually a part of a larger study which found some group differences in another area. Null findings are thus difficult to locate even when they are in the literature. The null findings thus don't get into the titles or abstracts of papers and are not indexed. 4. After determining that some ability or behavior is a sex difference, we must then inquire into the reason or cause of that sex difference. It is easy to assume (and absolutely wrong) that if we find a sex difference we have found an unlearned (or natural or "innate") difference. Again, the cause must be inquired into separately from whether a difference exists. (For a further discussion of these and other methodological problems in sex-differences research, see Maccoby and Jacklin, 1974, chapter 1.)

Keeping all of these caveats in mind, we will now review the materials on sex differences related to education. The following review has three parts. In Part I we will consider intellectual sex differences and discuss some of the current research into the causes of these differences. In Part II we will consider sex differences in social behavior. In Part III we will consider how teachers' behavior differs toward boys and girls.

## PART I. INTELLECTUAL SEX DIFFERENCES[1]

There seem to be two intellectual sex differences: (1) verbal abilities and (2) spatial visualization.

Girls get higher average scores on tests of verbal ability starting in about the junior high school years. These tests measure a variety of verbal skills, depending on the ages tested. Both boys' and girls' verbal abilities improve throughout high school, but girls' rate of improvement seems to be somewhat higher than boys. These average differences are quite small. At the upper levels of test scores, there do not seem to be very different numbers of boys and girls, but at the lower levels of test scores, there seem to be more boys than girls (see Maccoby and Jacklin, 1974, for a detailed review).

Boys get higher average scores on tests of spatial-visualization, again starting in about the junior high school years. These tests measure the ability to mentally rotate objects of two and three dimensions. This ability increases in both boys and girls throughout the high school years, but boys' rates of increase are higher than girls'. The average differences in spatial-visualization are larger than the average differences in verbal abilities.

Unlike verbal abilities, spatial-visualization is not directly taught in the schools. There is evidence that spatial abilities can be directly and quickly taught (Connor, 1977). Spatial-visualization seems to be learned indirectly in some courses (e.g., mathematics and drafting). One study (Fenema and Sherman, 1976) showed that sex differences in spatial abilities disappeared when the number of math courses taken by students was equated. (Boys take more math courses than girls.) The relationship between mathematical abilities and spatial-visualization is not yet clear. Math teachers vary in the amount of verbal or visual instructions that they give. The textbooks used in mathematics and the tests of mathematical ability and achievement are also variable on this dimension.

Unfortunately, tests of many *other* intellectual abilities are usually either verbal tests, or involve visual-spatialization skills. Thus there are many intellectual abilities which are *not* sex differences, but the tests used in their measurement seem to produce a sex difference. For example, memory does not differ in boys and girls. But if what children are asked to remember are verbal materials, as is often the case, a sex difference favoring girls may be found. Similarly, analytic ability does not differ between the sexes. But if a test is used which is composed of visual-spatial items, a sex difference favoring boys will be found. Statistical methods can be used to "partial out" the effects of verbal or spatial abilities in which case no sex differences are found. The same pitfalls of measurement exist in testing for creativity and learning. For both abilities, tests can be devised which would show sex differences. But the differences disappear if the verbal or spatial-visualization sex differences are first equated.

What is known of the causes of the sex differences in verbal and visual-spatial ability? Several possible social and biological causes have been suggested. I will here only briefly list areas of study that have been suggested as contributing to the sex differences. These are treated in detail in Maccoby and Jacklin, 1974. More recent references are given below.

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[1]There is an additional methodological problem in using test results from the school systems. Boys and girls drop out of school at different rates, and for different reasons. In general, more boys drop out of junior high school and high school, and low scoring boys are more likely to drop out than high scoring boys. If this fact isn't taken into account, unfair comparisons are made between boys and girls, since all of the girls will be compared with an increasingly smarter (and smaller) group of boys. (Differential drop-out rate can be corrected for by the use of longitudinal data but many studies have not taken this problem into account.)

1. Experience with toys (Connor & Serbin, in press; Serbin & Connor, 1977.)

2. Socialization by teachers. (See Part III of this paper.)

3. Socialization by peers. Just when intellectual sex differences appear (junior and senior high school age), peer pressure for sex appropriate behaviors intensifies. (See Fox, 1976, for a full discussion of peer pressure, especially as it impacts mathematically precocious girls.)

4. Genetic sex linkage. The relationship of parents' and children's scores on spatial ability tests had suggested a possible sex-linked genetic factor. However, recent data (and reevaluation of the older data) have not supported this position (Vandenberg and Kruse, in press).

5. Differential brain organization—laterality differences. When one side of the brain solves problems more quickly (or more accurately) than the other side, the brain is said to be "lateralized" for that type of problem. There are sex differences in brain laterality (Bryden, in press). These differences have not been directly related to cognitive sex differences. But this is an active area of research.

6. Maturity rate. How quickly or slowly children mature may be related to their cognitive abilities. Psychologists have been unsuccessful thus far in making this link. New work is again considering maturity rate as it affects brain laterality (Waber, 1976).

7. Hormones and cognitive ability. At puberty, hormone differences between the sexes are increased. Some researchers are trying to relate hormones and cognitive abilities. (See Peterson, in press, for a review.)

One alleged sex difference related to intellectual abilities is achievement motivation. Some years ago "fear of success" was said to have been found in college women but not college men. Fear of success was measured by a projective test. Women and girls were asked to write a story following the first line "Anne was the top of her medical school class." Men and boys were asked to write a story which started "John was the top of his medical school class." It is true, that women said terrible things happened to Anne and men said that wonderful things happened to John. However, notice that different tests were given to women and men. More recently both the "Anne" and "John" stories have been given to women and men. Both men and women say that Anne has a hard time and John has an easy time. Thus, there are no sex differences but there are sex of story or "Sex of Stimuli" findings. The top of a medical school class who is female probably does have greater social pressures than a male. The sex of stimuli findings may reflect the real world today. One further problem with projective tests of "fear of success" is they have not been shown to relate to achievement behavior such as applying to graduate schools or medical schools. (For references and a further discussion see Maccoby and Jacklin, 1974.)

## PART II. SOCIAL BEHAVIOR

The clearest sex difference in social behavior is aggression. Boys and men are more aggressive than girls and women. We mean by aggression the intent to hurt another. (Assertion is not the same as aggression. Assertion implies standing up for one's own rights, but not intending to hurt another.) How aggression is measured depends on the age of the subjects. In nursery age children, aggression is usually very direct and physical, and thus easily measured. As children get older, verbal aggression becomes more common and physical aggression becomes less common. In girls there tends to be more verbal than physical aggression. In boys there tends to be more physical than verbal aggression. But these patterns are differential patterns *within* sex. When either verbal or physical aggression is compared between the sexes, males are more aggressive than females.

Why is this true? We know that aggression can be learned, and we know that there are strong differences in how much aggression is allowed within different cultures (and subcultures). Still when research is done in other cultures we find males showing more aggression than females. In animal studies aggression has been linked to hormones. Greater amounts of the male hormone, testosterone, produces more aggression in male and female rodents, and primates. However, we also know from animal studies that the male hormone testosterone (and probably other hormones as well) are themselves changed when primates have "success" or "failure" experiences. The relation of hormones to behavior and behavior to hormones is an active area of research (see Maccoby & Jacklin, 1974, for a review).

In school age children, one area of research related to aggression is cooperation and competition. Whether boys or girls are more cooperative or competitive seems to depend upon the situation and/or culture. Some competitive situations have elements of aggression but others do not. We cannot conclude that boys or girls are more cooperative or competitive.

A second related area of research is dominance behavior. "Toughness" hierarchies tend to develop in the early grades so that boys and girls can reliably tell you which kids are "tougher" than which others. But these hierarchies are mostly composed of boys. Hierarchies may grow out of different size play groups of boys and girls. Boys are more likely to play in larger groups than girls. In nursery school children without prior school experience, boys tend to play in groups of five, on the average, while girls tend to play in groups of 2 or 3. These group experiences may have different effects. In groups, dominance hierarchies tend to develop. One possible precursor to the group size phenomenon is whether the children are playing indoors or outdoors. This, in turn, may be subtly related to teacher behavior. (See Part III of this paper.)

The relation of dominance behavior, hierarchies, and aggression is not well understood. We can only conclude there is a reliable sex difference in this area, but we have only the beginnings of clues as to its development.

Many other social behaviors do not show sex differences. (A fuller discussion with references can be found in Maccoby & Jacklin, 1974). For example, sociability. It is widely believed that girls are somehow more social than boys, but there is no evidence that this is true. In very young infants, both boys and girls are more interested in social stimuli than nonsocial stimuli. Both boys and girls can identify and care about the feelings of others. Sharing behavior and helping behavior are similar in males and females. There are some "sex of stimuli" differences. That is, males and females are both more likely to help a female than a male. (These effects are more pronounced in adults than in children.) It may be the case that girls are more willing to comply with adult requests than boys, but boys are more willing to comply with peer requests than girls. But although there are small differences in patterns, both sexes are social.

There are some social behaviors which may or may not be sex differences. Fear and timidity is an example. When very young children are observed in frightening situations, few sex differences emerge. Some are fearful and others are not, but knowing the sex of the child does not help one to predict how timid the child is. When older children are given pencil and paper tests, asking them what they are afraid of, girls check off more things than boys. However, if lie scales are included in these tests (sometimes called "defensiveness" tests) boys score higher on the lie scales. In adults, too, women score higher on fear and anxiety questionnaires and men score higher on defensiveness scales. Both men and women *say* that women are more fearful, but observational studies do not find differences in behavior. What people say about themselves is called "Self Attribution" or "Self Perception" in psychology. How you perceive yourself may have a powerful effect even if your behaviors don't match your perceptions. (See Bem, 1970, for a further discussion.) In short, we cannot yet conclude whether fear and timidity is or is not a sex difference. And we are left with aggression and dominance as the only clear sex difference in social behavior.

## PART III. HOW BOYS AND GIRLS ARE TREATED DIFFERENTLY BY TEACHERS

There are many subtle ways in which girls and boys receive different information about themselves from their schools. Textbooks and tests the children are given show girls and women in very different roles (when they are shown at all) than boys and men (Saario, Jacklin and Title, 1973). But teachers' behavior may be the most important difference of all.

The ways in which teachers' behavior differs toward boys and girls in the classroom have been investigated for some years. Some studies have found that boys receive more positive and negative feedback (Serbin, O'Leary, Kent and Tonick, 1973; Meyer and Thompson, 1956), while other studies have found little or no differences in the treatment of the sexes (Levitin and Chananie, 1972).

Recently, however, a more fine-grained analysis of teacher behavior has turned up some interesting results. In preschool classes, intensive research by Lisa Serbin and her colleagues has demonstrated: (1) Girls are more likely to get positive reinforcement from their teachers if they stand close to their teachers, while boys are as likely to get positive reinforcement from their teachers if they are close by or far away (Serbin, O'Leary, Kent, and Toniick, 1973). (2) Girls are more likely to stay with their teachers, and teachers are most likely to be in the areas of "fine motor skill" activities. If teachers do move to other activity areas (e.g., block areas, outside equipment areas), girls go to these areas (Serbin, 1977). (3) There are correlations between the types of toys a child plays with and the child's later cognitive abilities (Serbin & Connor, 1977; Connor & Serbin, in press).

We see, then, some very subtle differences in the ways teachers act toward boys and girls that may be making profound differences in the child's preferences for toy materials and possibly cognitive abilities. All the research described has been done with women teachers. We will discuss this again after looking at some research with teachers' behavior with older children.

Working with children in grade school, Dweck and her colleagues (e.g., Dweck, 1975; Dweck and Gilliard, in press; Dweck, Davidson, and Nelson, 1975) have been trying to find out what specific behaviors elicit positive and negative feedback from teachers. They have found that these eliciting behaviors are different for the sexes. Boys receive most of their negative feedback or criticism for nonacademic behavior, e.g., not sitting in their seats, making noise, etc. However, the positive feedback boys receive is most likely given for their academic work. For girls, the reverse pattern has been found. When a girl is given negative feedback, it is most likely for academic work. Girls receive positive feedback largely for nonacademic tasks, e.g., having their work neat, being quiet, etc.

How are these differences in teachers' contingencies related to other behaviors? Dweck has evidence that how hard a child persists in a task after some failure experience is a function of the negative feedback given for that task. If someone has received largely negative feedback, a failure experience will make the individual give up. This has been called "learned helplessness." Dweck has shown that girls give up more easily after academic failure than boys, but if the feedback contingencies are experimentally changed, "learned helplessness" can be eliminated. All of the parameters of this phenomena are not yet known. Apparently negative feedback from peers works in quite the opposite direction from negative feedback from adults (teachers) (Dweck and Bush, in press).

Again it should be noted that all of the research reviewed so far has been conducted using women teachers. Would the results be the same if male teachers were studied? We can only speculate. Much of the research that has been done on male vs. female teachers has not equated for

experience of the teacher. How much experience a teacher has had makes more difference than the sex of the teacher (see Fagot, 1977, for a review). But we can't yet determine whether male teachers would give the same reinforcement contingencies as female teachers. Or whether subject matter areas would make a difference to the contingencies given. For example, would the negative and positive contingencies be the same in sex-stereotyped classes such as Cooking or Shop? We have much more to learn in this area.

When teachers behave differently toward boys and girls, is it because they are reacting to differences in the boys' and girls' behavior? In part, teachers seem to be behaving differently to similar behaviors of the children. But the dynamics in the classroom are not fully understood. For example, we know that boys are more aggressive in the classroom than girls (see Section II above). If teachers find themselves giving negative feedback about nonacademic behavior to boys, they may then feel they must "balance this out" by giving more positive feedback about academic behavior to boys. If girls get positive feedback concerning nonacademic behavior, the teacher might give them more negative feedback about their academic work in order to try to balance their treatment of the children. We know this has unexpected, undesirable, and unbalanced consequences.

We cannot yet pinpoint the causes of the teachers' differential behavior of boys and girls. We can say, however, that subtle behaviors of the teacher have *profound* effects on the children.

## SUMMARY AND CONCLUSIONS

There are, then, some sex differences in behavior that are relevant to education. There are many more abilities and attributes on which the sexes do not differ. The differences: verbal and spatial-visual abilities (see Part I above) and aggression-dominance (see Part II above) are average differences and there is much overlap between the sexes. We know these differences have many origins. Many social and possibly many biological factors are involved. Much more work needs to be done before we can pinpoint the developmental course of these differences.

One cause of sex differences in school related behavior is teacher behavior (see Part III above). In this area, too, our research is not complete. We need much more information about teacher behavior. For example, we don't yet know if male teachers treat boys and girls differently. And just as we were stressing average differences in behavior of the boys and girls, the studies cited find average differences in teachers' behavior. There is much variability in teacher behavior and we don't know its causes. Specifically, we do not yet know how much differential behavior of the children is eliciting the differential behavior of the teacher.

There are many other areas of active research in which we still do not have answers. We don't yet know precisely how to change mathematics teaching, or if visual-spatial remedial courses should be given. We don't yet know precisely how to change teachers' own awareness of their behaviors towards boys vs. girls. But we must continue to learn as much as we can and to implement our knowledge as fast as we can, so that equality of education will become more than a law. Equality of education must become a reality.

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# TITLE IX OF THE EDUCATION AMENDMENTS OF 1972— A SUMMARY OF THE IMPLEMENTING REGULATION

## Introduction

Title IX of the 1972 Education Amendments is the first comprehensive Federal law to prohibit sex discrimination in the admission and treatment of students by education institutions receiving Federal financial assistance. Sex discrimination in the employment policies and practices of educational institutions is also prohibited. The intent of the law is to eliminate sex discrimination in the programs, policies, and administration of educational institutions. It reads:

> *No person in the United States shall, on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.*

The implementing regulation for Title IX was issued by the Secretary of Health, Education, and Welfare in June, 1975. Its provisions may be grouped into five major sections—general provisions (contained in Subpart A of the regulation), which outline the general procedures required for ensuring nondiscrimination and compliance with the regulation; coverage provisions (Subpart B of the regulation), which identify the education institutions, programs, and activities covered by the regulation; admissions provisions (Subpart C of the regulation), which specify prohibitions of discrimination in the recruitment and admissions of students; provisions pertaining to the treatment of students in educational programs and activities (Subpart D of the regulation), which delineate the standards of nondiscrimination in student programs; and employment provisions (Subpart E of the regulation), which establish the requirements for nondiscrimination in employment.

Following is a summary of the regulation. It follows the sequence of the regulation itself; the number contained in brackets at the end of each summary paragraph refers to the section of the regulation from which the information is derived.

Two definitions contained in the regulation are of importance to users of this summary:

**Recipient:** The "recipient" referred to throughout the summary is defined as "any public or private agency, institution, or organization, or other entity, or any person, to whom Federal financial assistance is extended directly or through another recipient and which operates an education program or activity which receives or benefits from such assistance." [§86.2(h)]

**Federal financial assistance:** Education agencies or institutions which receive any of the following are considered recipients of "Federal financial assistance" for purposes of Title IX:

- grants or loans from the Federal Government, including funds for:
  - –acquisition, construction, or renovation of buildings or facilities;
  - –scholarships, loans, grants, wages, or other funds extended for payment to or on behalf of students of the institution, whether paid to the institution or directly to students for payment to the institution.
- grants of Federal property
- provision of the services of Federal personnel
- any other contract, agreement, or arrangement which has as one of its purposes the provision of assistance to any education program or activity, except a contract of insurance or guaranty. [§86.2(g)]

Copies of the regulation have been supplied to all local education agencies and post-secondary institutions. Copies of the regulation may also be obtained from the Department of Health, Education, and Welfare, Washington, D.C. 20201.

# TITLE IX—A SUMMARY OF THE IMPLEMENTING REGULATION

## GENERAL PROVISIONS

**Remedial action.** In the event of a finding of sex discrimination by the Director of the Office for Civil Rights in an education program or activity of a Federally assisted institution or agency, the institution or agency may be required to take remedial action to overcome the effects of such discrimination. Such requirement would be specified by the Director. [§86.3(a)]

**Affirmative action.** In the absence of a finding of sex discrimination, a recipient education institution may take affirmative action to overcome the effects of conditions which resulted in limited participation by persons of a particular sex. [§86.3(b)]

**Self-evaluation.** Every education institution receiving Federal funds must, within one year of the effective date of the regulation:

- evaluate its policies and practices as to their compliance with the regulation;
- modify its policies and practices as necessary for compliance;
- take appropriate remedial steps to eliminate the effects of discrimination resulting from these policies and practices.

A description of any modifications and remedial actions taken must remain on file for at least three years following completion of the evaluation. [§86.3(c)]

**Assurance required.** Every application for Federal financial assistance for any education program or activity must as a condition of its approval, contain or be accompanied by an assurance form certifying compliance with the regulation. Forms will be supplied by the Office for Civil Rights, HEW. [§86.4]

**Designation of responsible employee.** Every recipient must designate at least one employee to coordinate compliance efforts and investigate any complaints of sex discrimination; all students and employees must be notified of the name, office address, and phone number of this employee. [§86.8(a)]

**Grievance procedures.** Every recipient must adopt and publish grievance procedures providing for resolution of student and employee complaints. (Utilization of these procedures is not a prerequisite for the filing of a complaint with the Office for Civil Rights, HEW.) [§86.9(a)]

**Notification of policy.** Recipients must take specific and continuing steps to notify applicants for admission, students, parents, employees, and all unions or professional organizations holding bargaining or professional agreements with the recipient of its compliance with Title IX. Initial notification was required by October 19, 1975. [§86.9(a)]

**Publications.** Recipients must include a policy statement of nondiscrimination on the basis of sex announcement, bulletin, catalog, application form, or other materials used in connection with the recruitment of students or employees. No publication should suggest, by text or illustration, that the recipient treats students, applicants, or employees differently on the basis of sex except as permitted by the regulation. [§86.9(b)]

## COVERAGE

**General.** The regulation applies to every recipient and to each education program or activity operated by a recipient which receives or benefits from Federal financial assistance. (Information regarding judicial interpretation of this language is provided in the preamble to the regulation. In analogous cases regarding racial discrimination, courts have held that the education functions of a school district or college include any service, facility, activity, or program which it operates or sponsors, including athletics and other extracurricular activities. The Federal funds may be terminated upon a finding that "they are infected by a discriminatory environment.") [§86.11]

**Exemptions from coverage include:** educational institutions controlled by religious organizations, to the extent that compliance would not be consistent with religious tenets; military and merchant marine educational institutions; and social fraternities and sororities in post-secondary institutions, YM and YWCA's, Girl and Boy Scouts, Camp Fire Girls, and other voluntary youth service organizations. [§86.12, §86.13 and §86.14]

**Coverage of the admissions provisions** applies only to institutions of vocational education, professional education, graduate higher education, and public institutions of undergraduate higher education, other than those which have been traditionally and continually single sex. This does not include first-degree professional and vocational programs offered at private undergraduate institutions. [§86.15]

## ADMISSIONS

The regulation requires that no person may, on the basis of sex, be denied admission or be subject to discrimination in admission by any recipient subject to the admissions provisions of Title IX. Specifically prohibited are:

- ranking applicants separately on the basis of sex;
- applying numerical limitations on the number or proportion of either sex who may be admitted;
- treating one individual differently from another on the basis of sex;
- administering any test or criterion for admission which has a disproportionately adverse effect on members of one sex unless such test or criterion is shown to validly predict success in the education program or activity and alternative tests are not available;
- applying any rule concerning the actual or potential parental, marital, or family status of a student whch treats persons differently on the basis of sex;
- discriminating against or excluding any person on the basis of pregnancy or related conditions (these must be treated as any other temporary disability);
- making pre-admission inquiry as to the marital status of an applicant. [§86.21(a), (b), (c)]

Discrimination in the recruitment of applicants for admission is also prohibited:

- preference may not be given nor may applicants for admission be recruited on the basis of attendance at an educational institution which is predominantly single sex unless the pool of applicants eligible for such preferences includes roughly equivalent numbers of males and females [§86.22];
- a recipient may not discriminate on the basis of sex in the recruitment of students unless additional recruitment efforts for members of one sex are undertaken as remedial or affirmative action. [§86.23(a)]

## TREATMENT OF STUDENTS IN EDUCATION PROGRAMS AND ACTIVITIES

**General.** All education institutions or activities receiving Federal financial assistance are subject to these regulatory requirements, including those whose admissions are exempt from coverage. This portion of the regulation requires that:

> *no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training or any other education program or activity operated by a recipient.* [§86.31(a)]

It specifically provides that recipient institutions may not, on the basis of sex:

- provide different aid, benefits, or services;
- deny any person such aid, benefit, or service;
- subject any person to separate or different rules of behavior, sanctions, or other treatment;
- discriminate against any person in the application of any rules of appearance;
- apply any rule concerning the domicile or residence of a student or applicant, including eligibility for in-state tuition;
- provide significant assistance (defined in the preamble to the Regulation as facilities or a faculty sponsor) to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefits, or service to students or employees;
- limit any person in the enjoyment of any right, privilege, advantage, or opportunity. [§86.31(b)]

**Assistance administered by an institution for study abroad.** A recipient institution may administer awards established by foreign or domestic legal instruments restricted to members of one sex which are designed to provide opportunities for study abroad provided the institution otherwise makes available reasonable opportunities for members of the other sex. [§86.31(c)]

**Programs not operated by recipients.** A recipient institution may not facilitate, require, permit, or consider as part of an activity or program it operates, participation by any applicant, student, or employee in a program not operated by the recipient which discriminates on the basis of sex. This includes participation in educational consortia and cooperative employment and student teaching assignments. [§86.31(d)]

**Housing.** A recipient may not, on the basis of sex, apply different rules or regulations, impose different fees or requirements, or offer different services or benefits related to housing. A recipient may provide separate housing on the basis of sex, provided that housing provided for students of one sex, when compared to that provided to students of the other, is as a whole proportionate in quantity to the number of students of that sex applying and comparable in quality and cost to the student. [§86.32(a)(b)]

A recipient which assists any agency or person in making housing available to its students must take reasonable action to assure itself that housing provided is proportionate in quantity

and comparable in quality and cost to students of both sexes. A recipient may not, on the basis of sex, administer different policies or practices concerning occupancy by its students of housing other than provided by the recipient. [§86.32(c)]

**Facilities.** A recipient may provide separate toilet, locker room, and shower facilities on the basis of sex; those provided for one sex must be comparable to those provided for the other. [§86.33]

**Course offerings.** Course offerings or other education activities may not be provided separately on the basis of sex, nor may participation therein be refused or required on such basis. Included are health, physical education, industrial, business, vocational, technical, home economics, music, and adult education courses. [§86.34]

- With respect to physical education courses, institutions must comply with this requirement as expeditiously as possible but in no event later than one year from the effective date of the regulation at the elementary level and three years from the effective date of the secondary and post-secondary levels. Students may be grouped by ability in physical education classes and activities as long as ability is assessed by objective standards developed and applied without regard to sex. Students may be separated by sex within physical education classes during participation in contact sports. [§86.34(a)(b)(c)]

- Portions of classes in elementary and secondary schools which deal exclusively with human sexuality may be conducted separately for males and females. [§86.34(e)]

- Recipient institutions may make requirements based on vocal range or quality which result in choruses of one or predominantly one sex. [§86.34(f)]

**Schools of vocational education.** A local education agency may not, on the basis of sex, exclude any person from admission to any institution of vocational education or any other school or educational unit it operates unless it otherwise makes available to such person, pursuant to the same policies and criteria of admission, courses, services, and facilities comparable to each course, service and facility offered in or through such schools. [§86.35]

**Counseling and counseling materials.** Institutions may not discriminate against any person on the basis of sex in the counseling or guidance of students or applicants. [§86.36(a)]

- Recipients may not use different materials for students on the basis of sex or use materials which permit or require differential treatment of students on such basis unless such materials cover the same occupations and interest areas and their use is shown to be essential to eliminate sex bias. Recipients must develop and use internal procedures for ensuring that counseling materials do not so discriminate. [§86.36(b)]

- Where a recipient finds that a particular class or course of study contains a substantially disproportionate number of individuals of one sex, the recipient must take such action as is necessary to assure itself that this disproportion is not the result of sex discrimination by counselors or in counseling materials. [§86.36(c)]

**Financial assistance.** Recipients may not, on the basis of sex:

- provide different amounts or types of financial assistance, limit eligibility for such assistance, or apply different criteria;

- apply any rule concerning eligibility for such assistance which treats persons of one sex differently from persons of the other with regard to marital or parental status;

- assist, through solicitation, listing, approval, or provision of facilities or services, any agency or person which provides assistance to a recipient's students in a manner which discriminates on the basis of sex. [§86.37(a)]

Recipients may administer financial assistance established by domestic or foreign instruments which require that awards be made to members of a specified sex provided that the overall effect of the awarding of such sex-restricted funds does not discriminate on the basis of sex. To ensure such nondiscriminatory effect:

- students must be selected for awards of financial assistance on the basis of nondiscriminatory criteria;

- an appropriate sex-restricted award should be allocated to each student selected;

- no student may be denied the award for which he or she was selected because of the absence of financial assistance designed for a member of that student's sex. (According to the preamble of the regulation, if there are insufficient sources of financial aid designated for members of a particular sex to provide funds for students of that sex selected, the institution is required to obtain the necessary funds from other sources or to award less assistance from the sex-restricted sources.) [§86.37(b)]

If a recipient awards athletic scholarships, it must provide reasonable opportunities for such awards for members of each sex in proportion to the number of students of each sex participating in interscholastic or intercollegiate athletics. Separate athletic scholarships for members of each sex may be provided as part of separate athletic teams for members of each sex to the extent consistent with the portion of the regulation dealing with athletics. [§86.37(c)]

**Employment assistance to students.** A recipient institution which assists any agency or person in making employment available to its students must assure itself that employment is made available without discrimination; it may render no services or assistance to agencies or individuals which discriminate on the basis of sex in employment practices. [§86.38]

**Health and insurance benefits and services.** Institutions may not discriminate on the basis of sex in providing medical, hospital, accident, or life insurance benefits, services, policies, or plans to any students. This does not prohibit a recipient from providing any benefit or service which may be used by a different proportion of students of one sex than of the other, including family planning services. Any recipient which provides full coverage health services must provide gynecological care. [§86.39]

**Marital or parental status.** A recipient may not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex. [§86.40(a)]

No student may be discriminated against or excluded from an education program or activity (including any class or extracurricular activity) on the basis of pregnancy or related conditions unless the student requests voluntarily to participate in a separate portion of the program or activity. [§86.40(b)]

- A recipient may require a pregnant student to obtain a physician's certification of her physical and emotional ability for normal participation in the education program or activity if such certification is required of all students for other physical or emotional conditions requiring the attention of a physician.

- A recipient which operates a portion of its education program separately for pregnant students, admission to which is voluntary, must ensure that this program is comparable to the program offered to nonpregnant students.

- A recipient must treat pregnancy and related conditions in the same manner and under the same policy as any other temporary disability with respect to any medical or hospital benefit, service, or policy in which such recipient participates with respect to students. If there is no leave policy maintained for students, pregnancy and related conditions must be treated as justification for a leave of absence, after which a student shall be reinstated to the status she held before the leave began. [§86.40(b)]

Athletics. The general requirement of this section is that:

*no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics offered by a recipient, and no recipient shall provide athletics separately on such basis.* [§86.41(a)]

Separate teams may, however, be operated for members of each sex where:

- selection for such teams is based upon competitive skill; or

- the activity involved is a contact sport.

Where a recipient operates or sponsors a team in a particular sport for members of one sex but operates no such team for members of the other, and athletic opportunities for members of that sex have previously been limited, members of the excluded sex must be allowed to try out for the team offered unless the sport involved is a contact sport (boxing, wrestling, rugby, ice hockey, football, basketball, and other sports the major activity of which involves bodily contact). [§86.41(b)]

Equal opportunity for members of both sexes must be provided in interscholastic, intercollegiate, club, or intramural athletics operated or sponsored by a recipient. In assessing the availability of equal opportunity, HEW will consider, among other factors:

- whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;

- provision of equipment and supplies;

- scheduling of games and practice time;

- travel and per diem allowance;

- opportunity to receive coaching and academic tutoring;

- assignment and compensation of coaches;

- provision of locker rooms, practice and competitive facilities;
- provision of housing and dining facilities and services;
- publicity.

Unequal aggregate expenditures for members of each sex or for male and female teams will not constitute noncompliance, but HEW may consider the failure to provide necessary funds for teams for one sex in assessing equality of opportunity. [§86.41(c)]

All recipient institutions must comply as expeditiously as possible; elementary schools must be in full compliance with this section within one year from the effective date of the regulation, secondary and post-secondary schools within three years. [§86.41(d)]

**Textbooks and curricular materials.** Nothing in the regulation requires or prohibits the use of particular textbooks or curricular materials. [§86.42]

## EMPLOYMENT

**General.** All education institutions receiving Federal financial assistance must comply with the employment provisions of the regulation. In general, the regulation prohibits:

- exclusion from participation in, denial of the benefits of, or subjection to discrimination on the basis of sex of any person in employment, or recruitment, consideration, or selection thereof, whether full or part-time;
- the limitation, segregation, or classification of applicants or employees in any way which could adversely affect any employment opportunities or status because of sex;
- entrance by a recipient into any contractual or other relationship which directly or indirectly has the effect of subjecting employees or students to sex discrimination, including relationships with employment and referral agencies, with labor unions, and with organizations providing or administering fringe benefits to employees of the recipient;
- the granting of preferences to applicants for employment on the basis of attendance at a single sex educational institution, unless the numbers of each sex eligible for such preference are roughly equivalent. [§86.51(a)]

Specifically, discrimination is prohibited in:

- recruitment, advertising, and the process of application for employment;
- hiring, upgrading, promotion, tenure, demotion, transfer, layoff, termination, application of nepotism policies, right of return from layoff, and rehiring;
- rates of pay or any other form of compensation;
- job assignments, classifications, and structure, including position descriptions, lines of progression, and seniority lists;
- the terms of any collective bargaining agreement;
- granting and return from leaves of absence, leave for pregnancy and related conditions, leave for persons of either sex to care for children or dependents;
- fringe benefits;
- selection and financial support for training, including apprenticeship, professional meetings, conferences, and other related activities, selection for tuition assistance, sabbaticals and leaves of absence to pursue training;
- employer-sponsored activities, including social or recreational programs;
- any other term, condition, or privilege of employment [§86.51(b)]

**Employment criteria.** A recipient may not administer any test or other criterion for employment opportunity which has a disproportionately adverse effect on persons on the basis of sex unless it is shown to validly predict successful performance in the position in question and alternative tests or criteria are not available. [§86.52]

**Recruitment.** A recipient may not discriminate on the basis of sex in the recruitment and hiring of employees. When a recipient is found to be presently discriminating on the basis of sex (or to have so discriminated in the past), it will recruit members of the sex so discriminated against so as to overcome the effects of past or present discrimination. A recipient may not recruit primarily at entities which furnish as applicants predominantly members of one sex [§86.53]

**Compensation.** A recipient may not, on the basis of sex, make distinctions in rates of pay or other compensation which result in the payment of wages to employees of one sex at a rate less than that paid to employees of the other sex for equal work on jobs the performance of which requires equal skill, effort, and responsibility and which are performed under similar working conditions. [§86.54]

**Job classification.** A recipient may not:

- classify a job as being for males or females;
- maintain separate lines of progression, seniority lists, career ladders, or tenure systems based on sex;
- maintain separate lines of progression, etc., which classify persons on the basis of sex unless sex is a *bona fide* occupational qualification for the positions in question. [§86.55]

**Fringe Benefits.** Under this regulation, fringe benefits means any medical, hospital, accident, life insurance, or retirement benefit, service, policy, or plan, any profit-sharing or bonus plan, leave, and any other benefit or service of employment. A recipient shall not:

- discriminate on the basis of sex with regard to making fringe benefits available to employees, or make fringe benefits available to spouses, families, or dependents of employees differently upon the basis of the employee's sex;
- administer, operate, offer, or participate in a fringe benefit plan which does not provide *either* for equal periodic benefits or equal recipient contributions to the plan for members of each sex;
- participate in a pension or retirement plan which establishes different optional or compulsory retirement ages based on sex or which otherwise discriminates on such basis. [§86.57 (a)(b)]

**Marital or parental status.** A recipient may not:

- take any employment action concerning the potential marital, parental, or family status of an employee or applicant which treats persons differently on the basis of sex; or
- which is based upon whether an employee or applicant is the head of household or principal wage earner. [§86.56(a)]

**Pregnancy.** A recipient may not discriminate against or exclude from any employee or applicant on the basis of pregnancy or related conditions. Pregnancy and all related conditions must be treated as any other temporary disability for all job related purposes, including commencement, duration, and extensions of leave, payment of disability income, accrual of seniority and reinstatement, and under any fringe benefits offered to employees. If a recipient does not

maintain a leave policy for its employees, pregnancy and related conditions must be treated as a justification for a leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status which she held when the leave began, or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities. [§86.57(b)(c)(d)]

**Pre-employment inquiries.** A recipient may not make pre-employment inquiry as to the marital status of an applicant for employment. A pre-employment inquiry as to applicant sex may be made, but only if such inquiry is made equally of applicants of both sexes and if the results of the inquiry are not used to discriminate. [§86.60(a)(b)]

**Sex as a *bona fide* occupational qualification.** Recipients may make employment decisions prohibited by the regulation provided they can demonstrate that sex is a *bona fide* occupational qualification which is essential for carrying out job responsibilities. Such action cannot be based on alleged characteristics or stereotyped characterizations of one or the other sex, or on preference based on sex of the recipient, employees, students, or other persons. This does not prevent consideration of an employee's sex in relation to employment in a locker room or toilet facility used only by members of one sex. [§86.61]

Note: Title IX coverage of employment practices has been at issue in the recent issue of *Romeo Community Schools v. U.S. Department of Health, Education, and Welfare.* In this case, the Romeo, Michigan Community Schools sought to stop HEW from enforcing the Title IX regulation provisions regarding employee pregnancy and maternity leave. Although the opinion issued by U.S. District Judge Feikens in April concluded that Title IX was not intended to reach any of the employment practices of recipients, the judgment entered in May to implement the opinion declared invalid only that section of the Title IX regulation dealing with the marital and parental status (including pregnancy) of employees. Furthermore, the Office for Civil Rights has announced its decision to continue enforcement of Title IX regulatory requirements related to employment (including those related to pregnancy) as usual outside the jurisdiction of the U.S. District Court for the Eastern District of Michigan and to appeal the decision by Judge Feikens.

## ENFORCEMENT PROCEDURES

Pending HEW's final issuance of a consolidated procedural regulation applicable to Title IX and other civil rights legislation administered by the Department, the procedures applicable to enforcement of Title VI of the Civil Rights Act of 1964 will be used to implement the regulation under Title IX. Under these existing procedures, complaints alleging violations of Title IX may be filed by letter to the Office for Civil Rights, Department of Health, Education, and Welfare, Washington, D.C. 20201 or to the appropriate Regional Office of the Department of HEW.

# EVALUATING IMPLEMENTATION OF THE PROCEDURAL REQUIREMENTS FOR TITLE IX COMPLIANCE

The Title IX regulation required all education agencies receiving Federal funds to complete five compliance procedures no later than July 21, 1976. These five required compliance procedures include:

1) development of a policy statement of Title IX compliance and nondiscrimination on the basis of sex, and notification of specified groups regarding this policy

2) designation of an employee responsible for coordinating Title IX compliance efforts

3) development and publication of a grievance procedure(s) for the resolution of student and employee complaints alleging violations of Title IX

4) implementation of an institutional self-evaluation to assess agency policies and practices for compliance with regulation requirements and modify them where necessary to ensure compliance

5) submission of assurances of Title IX compliance to accompany applications for Federal financial assistance

Responsibility for each of these procedures continues in some way. Schools must make continuing notification of their Title IX compliance policy and they must include the policy statement in their ongoing publications; they must retain an employee with Title IX coordination responsibilities; and they must maintain the Title IX grievance procedure on a continuing basis. Records of modification and remedial steps taken under the institutional self-evaluation must be on file for a three-year period after completion of the evaluation. Title IX compliance assurances must be maintained on file with the Office for Civil Rights, HEW, and referenced with every application for Federal financial assistance.

Effective implementation of these five compliance procedures establishes a structure for all subsequent Title IX implementation efforts. The institutional self-evaluation should provide a baseline for change efforts and for the assessment of progress. The notification of policy and the maintenance of the Title IX grievance procedure(s) provide mechanisms for the involvement of all students and employees in the identification and resolution of Title IX implementation problems as they may arise. Designation of a Title IX coordinator should ensure that at least one employee is responsible for the systematic monitoring of implementation on a continuing basis.

Because of the potential significance of these procedures in ongoing Title IX compliance and sex equity efforts, it is useful to consider the degree to which these requirements have been effectively implemented. Five checklists for this purpose—one corresponding to each procedure—are provided in the following pages. They should be used for assessing the adequacy of implementation efforts to date and for designing action steps for the improvement of implementation efforts. (A "No" answer indicates an area in which improvement may be desirable.) Although the initial deadline for compliance has passed, follow-up actions may be taken at any time to strengthen an education agency's Title IX compliance base.

## CHECKLIST ONE: EVALUATING TITLE IX POLICY NOTIFICATION PROCEDURES

The following questions are designed to assist in the evaluation of procedures for the notification of Title IX compliance policy as required by the regulation to implement Title IX.

- Has a policy notification been developed containing:
  - –a statement of institutional/agency responsibility for compliance with Title IX requirements for nondiscrimination in education programs and employment? Yes☐ No☐
  - –a statement that any inquiries regarding Title IX and its application may be referred to the employee designated with responsibility for coordinating compliance or to the Director of the Office for Civil Rights, HEW? Yes☐ No☐
- Have general guidelines been routinely and systematically disseminated to inform staff of the implications of the nondiscrimination policy and its relationship to their job responsibilities? Yes☐ No☐
- Has a procedure for continuing notification of policy been implemented to ensure notification of:
  - –students? Yes☐ No☐
  - –parents of elementary and secondary students? Yes☐ No☐
  - –applicants for admission? Yes☐ No☐
  - –admissions recruitment representatives? Yes☐ No☐
  - –employees? Yes☐ No☐
  - –applicants for employment? Yes☐ No☐
  - –sources of referral for employment? Yes☐ No☐
  - –employment recruitment representatives? Yes☐ No☐
  - –unions or professional organizations holding collective bargaining or professional agreements with the institution or agency? Yes☐ No☐
- Has notification of the policy been published in:
  - –local newspapers? Yes☐ No☐
  - –newspapers or magazines produced by the institution or agency, by students or by alumni groups? Yes☐ No☐
  - –memoranda or other written communication distributed to every student and employee? Yes☐ No☐
- Has a procedure been developed to ensure ongoing publication of the policy of nondiscrimination on the basis of sex in:
  - –course announcements? Yes☐ No☐
  - –bulletins? Yes☐ No☐
  - –catalogs? Yes☐ No☐
  - –application forms? Yes☐ No☐
  - –student recruiting materials? Yes☐ No☐
  - –employee recruiting materials? Yes☐ No☐
- Has a responsibility for publications review been assigned to ensure that institutional or agency publications do not suggest, by text or illustration, differential treatment of applicants, students, or employees on the basis of sex except when permitted by the regulation? Yes☐ No☐

## CHECKLIST TWO: EVALUATING PROCEDURES FOR TITLE IX COORDINATION

The following questions are designed to assist in the evaluation of procedures and responsibilities established for Title IX coordination as required by the regulation to implement Title IX. (Note: These questions are based on general principles of educational management rather than on legal guidelines.)

- Has an employee(s) been designated responsible for coordinating and monitoring activities necessary for compliance with Title IX? Yes ☐ No ☐

- Have employees and students been notified of the designation of the responsible person(s) and her/his office address(es) and telephone number(s) at least on a yearly basis? Yes ☐ No ☐

- Has a written job description for the Title IX coordinator been developed which clearly specified the tasks and responsibilities of the job? Yes ☐ No ☐

- Does the Title IX coordinator have full access to the chief executive officer in your district? Yes ☐ No ☐

- Are procedures specified for the regular exchange of information between the Title IX coordinator and the chief administrative officer? Yes ☐ No ☐

- Has the right of the Title IX coordinator to obtain access to any information necessary to the performance of job responsibilities been clearly specified to all staff? Yes ☐ No ☐

- Does the Title IX coordinator have responsibility for:

  –grievance procedure administration? Yes ☐ No ☐
  –grievance advocacy for
  students? Yes ☐ No ☐
  employees? Yes ☐ No ☐
  administrators? Yes ☐ No ☐
  –grievance resolution or decisionmaking? Yes ☐ No ☐
  –compliance recordkeeping? Yes ☐ No ☐
  –program development/decisionmaking? Yes ☐ No ☐
  –program recommendations? Yes ☐ No ☐
  –staff training/assistance/communications? Yes ☐ No ☐
  –student or parent assistance/communications? Yes ☐ No ☐

- If the Title IX coordinator is responsible for functions other than Title IX coordination, have these functions been adjusted to permit the Title IX coordinator to expend adequate time on Title IX responsibilities? Yes ☐ No ☐

## CHECKLIST THREE: EVALUATING THE IMPLEMENTATION OF THE TITLE IX GRIEVANCE PROCEDURE

The Title IX grievance procedure required by the regulation to implement Title IX may be evaluated on two primary dimensions:

- its content
- its implementation

The questions in this checklist are designed to assist in the evaluation of the implementation of the Title IX grievance procedure. (A checklist for the evaluation of the content of the Title IX grievance procedure is provided within the section of this notebook which contains the worksheets for Generic Session Two.)

The checklist is organized within four sections:

- Pre-implementation
- Filing and initial processing of grievances
- Grievance processing
- Grievance follow-up, monitoring, and reporting

(Note: The Title IX regulation specifies no requirements for the grievance procedure beyond that it be "prompt and equitable." These questions are based on general principles of grievance processing rather than on legal guidelines.)

**Pre-implementation**

- Has a written Title IX grievance procedure been prepared which provides for the prompt and equitable resolution of complaints of sex discrimination? Yes ☐ No ☐
- Has the Title IX grievance procedure been reviewed to ensure its compliance with any existing standards specified by relevant state and local laws/regulations, contracts with employee organizations, etc.? Yes ☐ No ☐
- Has the Title IX grievance procedure been reviewed and approved by institutional/agency governance? Yes ☐ No ☐
- Has the grievance procedure or a summary of the procedure been published and disseminated to all students and employees? Yes ☐ No ☐
- Have orientation or briefing sessions been held with students and employees to ensure their understanding of the grievance procedure and its use? Yes ☐ No ☐

- Have all employees with responsibility for the implementation of the procedure been provided briefing and information on the procedure and the requirements of the Title IX regulation? Yes ☐ No ☐

- Have persons serving as hearing officers been provided with basic orientation on grievance processing and in-depth training on the Title IX regulation, interpretation guidelines, and judicial precedents? Yes ☐ No ☐

- Have the specific assignments of staff roles and responsibilities been made for all tasks within the grievance procedure? Yes ☐ No ☐

- Have the responsibilities of the Title IX coordinator been delineated and a statement of these disseminated to all employees and students? Yes ☐ No ☐

**Filing and initial processing of grievances:**

- Is information regarding the nature of the grievance procedure and the coverage of the Title IX regulation easily available to all employees and students? Yes ☐ No ☐

- Has a form or outline been developed which clearly states the information required for the filing of a grievance? Yes ☐ No ☐

- Can students and employees file grievances at places of maximum convenience and accessibility? Yes ☐ No ☐

- Are personnel available for assisting students and employees in the filing of grievances? Yes ☐ No ☐

- Is opportunity provided for the clarification of grievance issues and for prompt and informal resolution of grievances when further processing is not needed? Yes ☐ No ☐

- Do notification forms used at all grievance stages provide grievants and respondents with full information regarding their rights and responsibilities in the grievance process? Yes ☐ No ☐

**Grievance processing:**

- Are timelines and requirements for promptness fully observed in the handling of grievances at each step of grievance processing? Yes ☐ No ☐

- Are stated notification procedures fully observed? Yes ☐ No ☐

- Are grievance hearings conducted according to specified procedures? Yes ☐ No ☐

- Are records of grievance hearings maintained? Yes ☐ No ☐

**Grievance follow-up, monitoring, and reporting:**

- Are all grievance decisions reviewed for their implications for modifications of policy, procedure, or practice beyond specified corrective steps? Yes ☐ No ☐
- Are all identified modifications and corrective steps broken down into their specific tasks, staff responsibilities, and implementation timelines? Yes ☐ No ☐
- Are all staff notified of their specific responsibilities related to the implementation of modifications and corrective steps? Yes ☐ No ☐
- Are staff provided information and assistance necessary to the implementation of modifications and corrective steps? Yes ☐ No ☐
- Are periodic surveys and reviews made to assess the implementation of modifications and corrective steps and to identify any related problems? Yes ☐ No ☐
- Are regular reports regarding the implementation of modifications and corrective steps required of all staff? Yes ☐ No ☐
- Are records of grievances, grievance processing, and modifications and corrective steps maintained for a three-year period? Yes ☐ No ☐
- Are all detailed grievance records (those identifying involved parties) maintained on a confidential basis and without notation in student or personnel files? Yes ☐ No ☐
- Is a set of open records regarding grievance resolutions and precedents (parties unidentified) available to students, employees, and other interested persons? Yes ☐ No ☐
- Are regular reports of grievance precedents and compliance efforts disseminated to all students, employees, and governance persons? Yes ☐ No ☐
- Are continuing assessments made of the understanding of students and employees regarding Title IX provisions and the Title IX grievance procedure? Yes ☐ No ☐

## CHECKLIST FOUR: EVALUATING THE TITLE IX SELF-EVALUATION

The following questions are designed to assist in the evaluation of the Title IX self-evaluation required by the regulation to implement Title IX. By July 21, 1976, education agencies and institutions receiving Federal financial assistance were required to:

- evaluate their policies, programs, and practices for their compliance with Title IX regulation requirements
- modify them as necessary to ensure compliance
- take steps to remedy the effects of any discrimination resulting from identified noncompliance

This checklist is organized within three sections:

- The content of the self-evaluation
- The process of the self-evaluation
- Follow-up and monitoring of the self-evaluation

(Note: The Title IX regulation established no particular requirements or standards for the self-evaluation other than that it should include the three components listed above. The questions in this checklist are based on general principles of evaluation rather than on legal guidelines.)

### The content of the self-evaluation

Does the self-evaluation *specifically* cover:

- student access to courses:
  - –course admissions requirements? Yes ☐ No ☐
  - –graduation requirements? Yes ☐ No ☐
  - –disproportionate course enrollments? Yes ☐ No ☐
- vocational education? Yes ☐ No ☐
- physical education? Yes ☐ No ☐
- counseling:
  - –programs? Yes ☐ No ☐
  - –materials? Yes ☐ No ☐
  - –tests and instruments? Yes ☐ No ☐
- student treatment:
  - –behavior and dress codes? Yes ☐ No ☐
  - –extracurricular activities? Yes ☐ No ☐
  - –employment assistance? Yes ☐ No ☐
  - –health services/insurance benefits? Yes ☐ No ☐
  - –honors and awards? Yes ☐ No ☐

- policies, programs, and practices related to student marital or parental status? Yes ☐ No ☐

- athletics and competitive sports:

  –student activities and programs? Yes ☐ No ☐
  –personnel practices? Yes ☐ No ☐

- financial assistance to students? Yes ☐ No ☐

- employment policies and practices related to:

  –recruitment/selection? Yes ☐ No ☐
  –promotion, tenure, layoff, application of nepotism policies? Yes ☐ No ☐
  –rates of pay; extra-duty compensation? Yes ☐ No ☐
  –job assignments and classification? Yes ☐ No ☐
  –fringe benefits? Yes ☐ No ☐
  –leaves of absence, including child-rearing leave? Yes ☐ No ☐
  –terms of collective bargaining agreements? Yes ☐ No ☐
  –certified staff (by specific position)? Yes ☐ No ☐
  –classified staff (by specific position)? Yes ☐ No ☐

- Does the self-evaluation clearly specify the documents, publications, etc., which were examined during the review process, and indicate the criteria used in examining each? Yes ☐ No ☐

- Does the self-evaluation include objective data to support its conclusions, e.g.:

  –list of course enrollments by sex? Yes ☐ No ☐
  –description of athletic programs by sex? Yes ☐ No ☐
  –survey of student athletic interests? Yes ☐ No ☐
  –analysis of disciplinary actions by sex over a specified period of time? Yes ☐ No ☐
  –listing of tests and counseling instruments used, with information on male/female norms, scales, etc.? Yes ☐ No ☐
  –other (please list)

  _____ Yes ☐ No ☐

  _____ Yes ☐ No ☐

  _____ Yes ☐ No ☐

- Does the self-evaluation clearly specify actions taken/to be taken when possible noncompliance is identified:

  –corrective actions? Yes ☐ No ☐
  –remedial steps? Yes ☐ No ☐

- Are these actions generally:

  –appropriate? Yes ☐ No ☐
  –sufficient? Yes ☐ No ☐

**The Process of the self-evaluation**

- Are the procedures and criteria used in the self-evaluation clearly specified? Yes ☐ No ☐

- Are the persons involved in the design of the self-evaluation clearly specified? Yes ☐ No ☐

Did they include:

  –staff with responsibilities in each of the areas evaluated? Yes ☐ No ☐
  –students? Yes ☐ No ☐
  –community members? Yes ☐ No ☐
  –persons with expertise on Title IX? Yes ☐ No ☐

- Are the persons from whom information was requested clearly specified? Yes ☐ No ☐

Did they include:

  –persons with diverse responsibilities and levels of responsibility in each of the areas evaluated? Yes ☐ No ☐
  –administrators? Yes ☐ No ☐
  –instructional/counseling staff? Yes ☐ No ☐
  –classified staff? Yes ☐ No ☐
  –persons representing the various schools in the district? Yes ☐ No ☐
  –students? Yes ☐ No ☐
  –community members? Yes ☐ No ☐
  –persons with expertise on Title IX? Yes ☐ No ☐

- Are the persons responsible for analyzing the information clearly specified? Yes ☐ No ☐

Did they include:

  –persons with diverse responsibilities and levels of responsibility in each of the areas evaluated? Yes ☐ No ☐
  –administrators? Yes ☐ No ☐
  –instructional/counseling staff? Yes ☐ No ☐
  –classified staff? Yes ☐ No ☐
  –students? Yes ☐ No ☐
  –community members? Yes ☐ No ☐
  –persons with expertise on Title IX? Yes ☐ No ☐

- Were all concerned persons in the district notified of the self-evaluation and invited to submit any information they considered relevant? Yes ☐ No ☐

**Follow-up and monitoring of the self-evaluation**

- When corrective or remedial steps were required, were timelines and staff responsibilities for their implementation clearly specified? Yes ☐ No ☐
- Were staff responsibilities for monitoring of these steps clearly specified? Yes ☐ No ☐
- Have all specified steps been implemented according to the appropriate timelines? Yes ☐ No ☐
- Are periodic updates of the self-evaluation planned or conducted? Yes ☐ No ☐
- Is the self-evaluation or a record of modifications and remedial steps available for review and comment by interested persons? Yes ☐ No ☐

## CHECKLIST FIVE: EVALUATING THE SUBMISSION OF TITLE IX COMPLIANCE ASSURANCES

The following questions are designed to assist in the evaluation of compliance with the Title IX regulation requirement for submission of compliance assurances to establish or to maintain eligibility for Federal financial assistance. Form 639 and the revised Form 639A were developed by the Office for Civil Rights for submission of such assurances and copies were mailed to all recipients of Federal funds. The initial deadline for submission of the Form to OCR was September 30, 1976; all agencies which do not currently have the Form on file with OCR face possible termination of Federal funds.

- Does the education agency maintain all data necessary to determine compliance with Title IX regulation requirements? Yes ☐ No ☐

- Has a copy of Form 639 or 639A been submitted to the Office for Civil Rights, HEW? Yes ☐ No ☐

# IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY: CONDITIONS AND STRATEGIES FOR ORGANIZATIONAL CHANGE

In most schools and school systems, various changes are necessary if Title IX regulation requirements are to be fully implemented and sex equity is to be attained. It is useful to consider these changes at two related but separate levels:

1) changes in the professional practices of individual educators

2) changes in the organization, operations, and policies of education institutions

Title IX implementation and sex equity must be evident both in the individual activities and classrooms of particular schools and in the structure and functioning of entire schools and school systems.

The following pages will focus on the implementation of Title IX and the attainment of sex equity in schools at the organizational/institutional level.[1] They will suggest:

- strategies for achieving change and equity at the organizational/institutional level
- conditions which facilitate organizational/institutional change

**Strategies for Organizational/Institutional Change**

Strategies for achieving organizational/institutional change in schools and school systems are those which are directed toward establishing a system of roles, norms, structures, and reinforcements which can involve a diversity of people in the achievement of a common purpose—full implementation of Title IX and the attainment of sex equity. Organizational change is essential if schools are to achieve equitable policies, programs, and practices which are consistent throughout entire schools and school systems, and if change by individual educators is to be facilitated and supported.

Strategies for achieving organizational/institutional change in schools include:

- **Policy development/clarification/communication**—The written policies of a district establish the guidelines or "rules" which are to be followed in carrying out educational programs and activities. The policies are important in that they are available to everyone and they provide the standards for the operation of educational programs and activities.

Although all districts are required by the Title IX regulation to have a general policy of nondiscrimination on the basis of sex, few have developed the necessary policy guidelines which

[1] Change in the professional practices of individual educators is the focus of the six application handbooks which supplement this *Participant's Notebook*.

specify the implications of the policy for various district operations. Effective policy implementation requires the specification of the policies and ongoing efforts to ensure their dissemination.

Development/clarification/communication of policy and policy guidelines is an important continuing action for Title IX implementation and organizational charge.

- **Study and evaluation**—The importance of systematic data collection and identification of corrective and remedial actions was recognized in the Title IX regulation in its requirement for an institutional self-evaluation. It is essential that data collection be maintained as a method of measuring progress and identifying recurrent or emerging problems. If there is reason to believe that the institutional self-evaluation was not as comprehensive as might be desirable, consideration should be given to an updating of the self-evaluation.

- **Staff training**—Full implementation of Title IX is only attained when the requirements of the regulation are modeled in the delivery of educational services. This can only occur when there is an ongoing effort to ensure that all staff have an understanding of the intent and implications of Title IX, and the knowledge and skills necessary for the delivery of nonsexist services. Any educational change requires retraining of personnel to ensure that they acquire necessary knowledge and the required skills. If educational personnel are to acquire Title IX-related knowledge and skills, regular training, periodic monitoring, and continuing reinforcement of desired nonsexist behaviors will be required.

- **Community involvement**—Virtually all cultural groups within our society have developed a system for the assignment of roles, including educational roles, on the basis of sex. Because Title IX calls for a reevaluation of the ways that educational roles may be assigned on the basis of sex, concerns are likely to be raised in the community. Continuing school involvement and dialog with the variety of groups represented in the community is an important change strategy. The goal of such involvement should be assessment of community needs relevant to school programs and the communication of the intent and implications of school policies to community members.

- **Program modification/development**—Attainment of Title IX implementation and sex equity is likely to require both the modification of existing programs and the development of new programs. For example, an area where compliance with the requirements of the regulation is likely to necessitate program modification is the women's competitive sports program. In most schools, program modifications are necessary for providing equal access and equal opportunity for women in athletics.

In addition, there are many other areas where the development of programs would facilitate Title IX compliance efforts and the attainment of sex equity. Such programs might include special counseling programs to encourage males and females to move into nontraditional areas of vocational education, administrative internship programs for minority and female staff members, programs to acquire nonsexist classroom materials, etc.

- **Budget allocations**—Implementation of Title IX and achievement of sex equity may require budget allocations or reallocation of existing funds. Procurement of funds for program development or program modification may be needed when necessary actions cannot be integrated into existing programs or when there is need to assess the impact of specific programs.

All of these strategies may be applied to achieving organizational/institutional change for Title IX implementation and the attainment of sex equity in schools and school systems. They provide a critical framework for individual change efforts.

## Conditions Which Facilitate Organizational/Institutional Change

Another way of considering organizational/institutional change related to the attainment of sex equity in education is to identify some of the major conditions which must exist if change is to be implemented and effective. Seven conditions appear to be necessary if schools are to undertake the changes required for full implementation of Title IX and the attainment of sex equity. These conditions, and some of the strategies which may be utilized to achieve them, are described briefly below.

1. **Change begins with a consensus that sex discrimination and sex bias exist and that such discrimination and bias should be eliminated.**

The first step in dealing with any educational issue is recognizing that a need for change exists. Acknowledgment of the need must be made by persons working within the school system and persons within the community being served. Until there is some level of consensus that sex discrimination and sex bias is a problem in the schools, there is comparatively little that can be done to develop programmatic strategies for dealing with the problem. When no consensus exists, appropriate action strategies would focus on increasing peoples' awareness of existence of the problem. Such strategies might include documentation of differential treatment of male and female students and employees; dissemination of this information; involvement of students, personnel, and community members in efforts to assess sex equity Title IX compliance; implementation of awareness sessions; etc.

2. **Change requires an understanding of the specific sources of sex discrimination and bias in education and their possible effects.**

Determination of appropriate change strategies requires an understanding of specific sources of sex discrimination and bias. The vehicles of differential sex role socialization in schools or the sources of sex bias and discrimination include: differential access to courses, differential treatment in the classroom, biased counseling and guidance, differential physical education and competitive sports activities, the bias of textbooks and instructional materials, etc. If sex discrimination and bias in schools are to be eliminated, education personnel must have a thorough understanding of the specific behaviors which result in differential treatment of females and males and of the outcomes of such behaviors. Understandings of the vehicles of differential socialization are comparatively recent and all education personnel must devote effort to gaining skills in the recognition and identification of sex discrimination and sex bias, and in the implementation of actions for their elimination. In-service training programs, the dissemination of research information, classroom/school observations, and individual reading and study are strategies which may be used for increasing the understanding of education personnel of the sources of bias and discrimination and of their effects.

3. **Change requires the existence of leadership committed to goals for sex equity and change in education and articulating these goals.**

Change requires leaders—persons who have the ability to recognize change needs and to communicate a vision of what the future could be like if these needs were met. Leadership for change and the attainment of sex equity in education policies, practices, and programs must come from a variety of sources. Members of governance bodies such as boards of education must provide policies which can initiate and support efforts for change. Administrators must initiate and support programs which can provide the structure for the attainment of equity. Instructional personnel and counseling staff must demonstrate equity in the delivery of educational services. Community groups and interested citizens must articulate equity goals and evalute school policies

and programs against these goals. Leadership from each of these sources is essential. Ongoing efforts of schools, professional groups and associations, and community groups to identify, develop, and support programs which can increase activities and actions to eliminate sex discrimination and bias are methods of increasing leadership in this area.

4. **Change requires the specification of particular goals for the achievement of equity and the development of models for accomplishing change.**

Even when a problem is recognized and general goals for its alleviation are identified, there is little likelihood that change will be achieved until specific, observable change objectives are identified. General goals must be delineated into specific objectives, and the activities which can lead to their attainment must be identified. For example, the general goal of achieving sex equity in the classroom must be organized into such objectives as identifying bias in textbooks and instructional materials, eliminating differential treatment of female and male students, etc. This process is facilitated by the development of change models and specific "how to" steps which educators can use in the achievement of sex equity goals. Research, demonstration programs, technical assistance programs, and documentation of change efforts are important strategies for the development and dissemination of "how to" models.

5. **Change requires the allocation of human and financial resources.**

Change toward implementation of Title IX and the attainment of sex equity in schools will not be achieved without some expenditure of human and financial resources. In most instances it is important that both types of expenditures are made. The expenditure of money for programs without the assignment/development of competent staff is not likely to result in significant change. Likewise, the continued assignment of staff responsibilities without the provision of the resources needed to support them in carrying out these responsibilities is not likely to produce change. Documentation of the need for resources, development of program proposals, and assessment of the results of the expenditure of human and financial resources are strategies for increasing the allocation of resources.

6. **Change requires that education personnel possess the capability (knowledge and skills) for delivering educational equity.**

As change goals and objectives are identified, it is important that the new knowledge and skills which will be required by persons responsible for achieving those objectives be recognized, and that efforts which can assist these persons in the attainment of this knowledge and skills be implemented. Activities which can assist education personnel in the development of the necessary knowledge and skill include: attendance at and provision of Title IX-related workshops and training programs; procurement and distribution of relevant materials; maintenance of and support for experimental and demonstration projects and programs; and participation in in-service staff development programs. All school systems must support staff development efforts and reinforce those persons who continue to increase their knowledge and skills if sufficient capability is to be achieved.

7. **Change requires the development of a system for the recognition of progress in education programs and the reinforcement of personnel who have made efforts toward Title IX implementation and the attainment of sex equity.**

Too often change is expected to occur spontaneously and to maintain itself. It is important to realize that if change is to be maintained it must be recognized and reinforced. Recognition of progress in changing programs, policies, and practices should be an integral part of the operation

of schools and of the interaction between schools and community groups. Both school systems and individual employees should be reinforced for any effort they make toward providing non-sexist services.

Each of these conditions should be present if successful change is to be achieved. Educators planning Title IX implementation efforts should assess the degree to which each of these conditions exists in their own schools and communities in order to identify change priorities and goals and to determine which strategies should be applied to achieve these goals.

# ENFORCING TITLE IX: GRIEVANCE AND COMPLAINT PROCEDURES

Individuals or groups who believe that they have been subjected to discrimination which would be prohibited under Title IX have recourse to two procedures through which they may seek to enforce their rights under Title IX. These are the internal Title IX grievance procedure which must be maintained by all education agencies and institutions receiving Federal funds and the Federal administrative complaint process. Each of these procedures offers its users particular advantages and disadvantages.

**The internal Title IX grievance procedure**

Every education agency or institution receiving Federal financial assistance must adopt and maintain a procedure for the prompt and timely resolution of student and employee allegations of possible Title IX violations. In the absence of any standards for grievance procedures in the Title IX regulation, the structure and effectiveness of these procedures varies widely from agency to agency. (Checklists for the evaluation of the structure and implementation of Title IX grievance procedures are provided elsewhere in this notebook.)

The primary advantage of the grievance procedure to its users is its ready accessibility. It provides an opportunity for problem resolution at the level where the resolution must be implemented (the local education agency); it may provide for relatively rapid and inexpensive resolution of the problem; and it provides the local education agency with an opportunity to identify and deal with Title IX related problems without outside intervention.

The weakness of the grievance procedure is that its effectiveness is dependent upon the commitment and good faith efforts of the local agency to implement the procedure in an open climate of problem identification and solution. If the procedure is implemented in a manner which suggests resistance on the part of the agency to examine, correct, or redress possible noncompliance with Title IX requirements, it will not function as an effective method of enforcement to the grievant or as a method of problem solving for the agency.

**The Federal administrative complaint process**

Individuals or groups who believe that they have been discriminated against in a manner prohibited under Title IX (or persons or groups authorized to act on their behalf) may file a complaint with the Office for Civil Rights, Department of Health, Education, and Welfare (OCR/HEW) in Washington, D.C. or in one of ten regional offices. Complaints must be filed in writing within 180 days after the alleged Title IX violation. This action may be taken after the unsatisfactory use of a local grievance procedure, simultaneously with the filing of a grievance, or without utilization of the local grievance procedure.

A complaint is considered by OCR to be complete when it includes the following information: (a) the name and address of the complainant, (b) those injured by the alleged discrimination, (c) the names and address of the injured parties where they number three or fewer persons, (d) the name and address of the institution or individual alleged to have discriminated, (e) the

approximate date(s) on which the alleged discrimination took place, and (f) sufficient background information to permit HEW to commence an investigation.

HEW is currently under a court order (issued pursuant to the case of *Adams v. Mathews*) regarding its handling of complaints. The court order requires OCR to observe the following timelines in handling complaints: (a) Within 15 days of receiving a complaint, OCR will evaluate it and reply. (b) Within 105 days, OCR will complete its investigation and determine whether there has been a rights violation. (c) If there is a violation, OCR will complete its efforts to achieve compliance by voluntary means within 195 days. (d) If there is a violation and compliance is not achieved voluntarily, OCR will initiate formal enforcement proceedings (which could lead to the suspension or termination of Federal financial assistance and eligibility for such assistance) within 225 days, or refer the case to the Department of Justice for legal proceedings.

At the present time, however, OCR has a large backlog of uninvestigated complaints, and is seeking court approval of procedural revisions regarding the elimination of this backlog. This backlog, and the resultant potential delay in OCR investigation, is one of the greatest weaknesses in the effectiveness of the procedure for the potential complainant.

Although the identity of the person(s) filing a complaint is kept confidential if possible, it is sometimes impossible for OCR to investigate a complaint without the identity of the complainant becoming known. Agencies are prohibited from discriminating against or discharging any student or employee because she/he has made a complaint or assisted with an investigation.

The primary strength of the complaint process for the complainant is that it provides a method for involving the Office for Civil Rights as an outside third party in consideration of the alleged discrimination. Because of the strength of the sanctions possible under the complaint procedure (suspension or termination of Federal funds), many education agencies find it desirable to negotiate voluntary compliance efforts if discrimination is found.

The weakness of the Federal administrative complaint process for the potential complainant is the amount of time which may be required to obtain a resolution, and the threat of retaliation which is perceived by many potential complainants.

**A note on the private right to sue under Title IX**

The right of an individual to file private suit to enforce Title IX rights has been the subject of the recent court case *Cannon v. University of Chicago*, 12 EPD 11175 (7th Cir. 1976). The most recent finding in the case at the time of this writing is that no such right is in fact extended to the individual solely by Title IX. (The individual may, however, be able to join a Title IX cause of action with an otherwise valid Constitutional claim.) It was the opinion of the court that the Federal administrative complaint procedure provides the individual adequate recourse in circumstances of possible discrimination. It is anticipated, however, that further action will be brought in the case. Individuals wishing further information on this subject should obtain legal counsel.

# GENERIC SESSION WORKSHEETS

# IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY: THE CONTEXT OF TITLE IX

# GENERIC SESSION ONE

WORKSHEETS

## IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY IN EDUCATION– AN INTRODUCTORY ASSESSMENT

### Worksheet 1

Think about the policies, practices, and programs of the education agency or institution in which you work and the behavior of staff members.

1. List as many examples as you can identify of differential opportunity or treatment of female and male students and employees.

2. What efforts have been taken to eliminate sex differentiation and increase sex equity in opportunity or treatment of students and employees?

3. What, in your opinion, has been the significance or contribution of Title IX in eliminating differential opportunities and treatment of female and male students? Of female and male employees?

4. What, in your opinion, are the steps which should be taken in the future to facilitate Title IX implementation and the achievement of sex equity in your school/institution?

## IDENTIFYING DISCRIMINATION--CASE EXAMPLES

### Worksheet 2

Please read through each of the examples provided below to determine the possible areas of discrimination or probable violations of Federal laws and regulations. Make a note of the Federal law(s) you believe is relevant to each example in the space provided.

**Background Information**

School District No. 41 is responsible for the elementary-secondary education of 7,200 students who attend eighteen elementary schools, six junior high schools, two high schools, and two vocational schools. The student population includes 1,600 Black students, 418 Spanish-speaking students, 23 Asian students, and 16 Native American students. The District employs 280 classroom teachers, counselors, and paraprofessional personnel. Eighty-two percent of the elementary school staff and 48 percent of the secondary school staff are female. There are four minority teachers and 12 minority paraprofessional staff members in the District.

The central administrative staff is headed by a team of six males, none of whom is a member of a racial or ethnic minority group. None of the principals in the District is minority or female, but two minority males have recently been promoted to assistant principal positions and one female has been included in an administrative internship program provided by the District.

**Example 1**

Ms. Chin, a counselor in one of District 41's secondary schools, has been employed by the District for the past eight years. As a classroom teacher she compiled an outstanding performance record. She completed a master's degree in the field of counseling and has consistently received outstanding ratings for her job performance as a counselor. Recently she has completed a second master's degree, this one in the field of school administration, and obtained the State credential for an administrative position.

This year Ms. Chin applied for the position of assistant principal at East High School. A male guidance counselor and a male physical education teacher also applied for the position. Neither of the men had been employed by the District for more than three years and neither had completed the requirements for the administrative credential. The physical education teacher, a white male, was selected for the job. When Ms. Chin asked for an explanation of the reason for the selection, the personnel office refused to provide a writen or oral expianation.

**Relevant law(s):**

**Example 2**

Mr. Jones, a Black male, received his B.A. degree in special education from the State University last June. He completed his student teaching in District 41 and received an outstanding evaluation and recommendation. As a result of his interest in the community, he applied for the special education position in Elmwood Elementary School. A white male who had just completed

a B.A. degree was hired for the position even though he had no prior teaching experience or credential in special education.

**Relevant law(s):**

**Example 3**

Two vocational high schools are operated by the District. Boys are currently admitted to Jefferson Vocational High and girls to Washington Vocational High. Jefferson provides courses in printing, computer science, and electronics which are not provided to students at Washington Vocational High School. A number of female students indicated their desire to study in those fields not provided at Washington Vocational High School. Under pressures, the District permitted a few girls to enroll in courses at Jefferson, but only when there was not a full enrollment of boys.

**Relevant law(s):**

**Example 4**

East High School provides a variety of academic and extracurricular activities for its 1,200 students. In the wake of a 1972 desegregation order, more than 500 Black students from West High School, which had been attended primarily by Black students, were reassigned to East High School. All Black students are automatically assigned to one semester of remedial English and must demonstrate proficiency in English before they may enroll in other English courses. There is no equivalent requirement for non-Black students.

**Relevant law(s):**

**Example 5**

Barbara, a tenth grade student, is pregnant. According to School District policy, she must be excluded from regular classes and extracurricular activities as soon as her condition is obvious to others. Although special classes for pregnant students are provided, Barbara does not wish to attend these classes.

**Relevant law(s):**

**Example 6**

Vocational education courses offered in District 41's nonvocational high schools provide training and work experience in accounting, typing, shorthand, typesetting, mechanical drawing, and clerical sales which enable students to move into business and industrial positions upon graduation from high school. A work-study program is included, and many students work part of the school day in positions similar to those which they plan to enter following high school.

Although both girls and boys are participating in all of the classes, the District maintains separate referral lists for boys and girls because some of the participating employers have stated that they will not accept either boys or girls for particular types of jobs. The same separate lists are maintained for postgraduation referral purposes, and the District refers boys and girls according to the employer's preference.

**Relevant law(s):**

**Example 7**

Ms. Martin, an experienced social studies teacher with an outstanding record of performance, has recently moved to the area included in District 41. She is interested in obtaining a position teaching social studies at the junior high school or senior high school level. She obtained an interview with a member of the District personnel office and explained her interest in securing a position in the area of social studies. The interviewer reviewed her record and recommendations and commented on them favorably. The interviewer indicated, however, that he was sorry that it would not be possible to offer her a position in the area of social studies since the social studies position opening required a teacher who could also serve as coach for boys' basketball.

**Relevant law(s):**

**Example 8**

Ms. Ramirez has taught for seven years at one of the elementary schools within School District 41. She is expecting a child in six months. The District policy requires that pregnant women must stop teaching at least five months prior to the expected birth date. Ms. Ramirez is currently supporting her husband's completion of medical school. All her efforts to convince the school administration that she is medically able to complete the school year have failed. Her physician has advised the District that she is medically able to continue, but without results.

**Relevant law(s):**

**Example 9**

Juanita is a junior at West High School. She is an excellent swimmer and would like to swim competitively. She spoke to the coach of the varsity swim team about her interest and mentioned that her most recent time in the 300-meter medley was better than the times of three team members in the meet the week before. The coach said that although her time sounded good, District policy would not permit her to try out for the team because it limits membership to boys only. West High School offers volleyball and softball teams for girls and football, basketball, hockey, swimming, tennis, and baseball for boys.

**Relevant law(s):**

**Example 10**

Seventh-grade students in School District 41 have completed several vocational interest inventories to determine the general direction of their vocational interests. Each student is provided a report of results indicating how his/her scores compare with those of other students of the same sex who completed the test. The report provided to female students is based upon a listing of such occupations as secretary, clerk, teacher, nurse, dental technician, and other sex-stereotyped occupations. Similarly, the report provided to male students rates their interests in such vocations as auto mechanics, laws, medicine, engineering, and other sex-stereotyped occupations.

**Relevant law(s):**

## VEHICLES OF NONSEXIST SOCIALIZATION– HOW WOULD THEY LOOK?

### Worksheet 3

Listed below are some of the vehicles of sex-role socialization in schools–the vehicles in which sex bias is frequently manifest. Under each, list as many characteristics as you can of the vehicle as it would look if it were nonsexist, or reflected sex equity. Where you can, list characteristics that you think would exist if the vehicle were also nonracist, or reflected racial-ethnic equity.

**Textbooks and instructional materials:**

(Example: A nonsexist/nonracist book would show males and females of various racial-ethnic groups in an equal frequency and diversity of career roles.)

**Counseling and guidance**

**Sex-segregated schools and school groupings**

Vocational education

Physical education and athletics

Extracurricular activities

Sex-stereotyped assignments of roles in the education profession

# TITLE IX: THE REGULATION AND THE GRIEVANCE PROCESS

# GENERIC SESSION TWO

WORKSHEETS

## SAMPLE TITLE IX GRIEVANCE PROCEDURE A

### Worksheet 4

The procedures outlined herein refer only to the handling of complaints alleging discrimination under equal employment opportunity laws and guidelines. Such complaints could arise in any of the following areas where no discrimination in hiring, placement, duty assignment, promotion, or separation is to be practiced:

> Race, color, ethnic or national origin, sex, marital status, religion, age, or family responsibilities, handicap, political affiliation; status with respect to current schooling or lack of formal training not requisite for the position.

In the event an employee institutes a grievance in the above areas, the following steps are to be followed:

1. Employee contact local XYZ County Schools Equal Employment Opportunity Counselor within 15 calendar days of the alleged discriminatory incident. Records of informal sessions will be maintained by the counselor.

2. If informal resolution is not effected, employee may, within 15 calendar days after the terminal interview with the local EEO Counselor, file a formal complaint with the Superintendent's office.

3. The Superintendent assigns the Chief EEO officer to conduct full investigation and recommend proposed disposition to Superintendent.

4. EEO Officer notifies complainant of proposed disposition recommended to the superintendent.

5. Based on the file, the superintendent renders his decision and forwards same to complainant and reasons for any rejection or modification of that recommendation.

6. Complainant has right to appeal to the Administrative Services Committee of the Board of Education when appropriate within 15 calendar days of decision of the Superintendent.

## SAMPLE TITLE IX GRIEVANCE PROCEDURE B

### Worksheet 5

### Federal Educational Amendments of 1972
### Title IX – Part 86.8 (b) – GRIEVANCE PROCEDURE

WHEREAS, the Board of Education of the ABC City School District, in compliance with the rules and regulations pertaining to nondiscrimination on the basis of sex under Federally assisted education programs and activities, has established this procedure whereby a complaint related to the violation, interpretation, or application of Title IX Rules and Regulations may be quickly and smoothly resolved, and

WHEREAS, students and employees of the ABC City Schools are eligible to participate in this grievance procedure, and

WHEREAS, the resolution of real or alleged violations shall be motivated toward a solution that is satisfactory to the student or employee, the administration, and the Board of Education;

NOW THEREFORE BE IT RESOLVED, that the following grievance procedures be adopted by the Board of Education of the ABC City School District:

ARTICLE 1. Definitions

1.1 **Grievance:** an issue that reaches Level One Procedure. This issue involves the violation, interpretation, or application of any article of Part 86, Rules and Regulations, Title IX, Federal Education Amendments of 1972.

1.2 **Student:** any person enrolled as a student in any school and/or educational or recreational program authorized by the ABC City Board of Education.

1.3 **Employee:** any full time or part time teacher, secretary, clerk, custodian, cleaner, administrator, or other person receiving compensation for services rendered the ABC City Board of Education.

1.4 **Compliance Coordinator:** The person designated by the board of Education to coordinate efforts to comply with Title IX Rules and Regulations.

1.5 **Superintendent:** The Superintendent of Schools or a designated representative.

ARTICLE II. Level One Procedure

2.1 The student or employee who has a complaint, and is unable to solve the issue, may address the complaint in writing to the Compliance Coordinator.

2.2 The Coordinator's responsibilities:

(a) investigate, within one week, the circumstances of the complaint;

(b) render a decision, within two weeks after receipt of complaint, and notify the complainant;

(c) provide the complainant one week to react to the decision before it becomes final.

2.3 The Complainant's responsibilities:

(a) accept the decision, in writing, addressed to the Compliance Coordinator, or

(b) disagree with the decision, in writing, addressed to the Compliance Coordinator. A level two procedure will be initiated.

**ARTICLE III. Level Two Procedure**

3.1 The Compliance Coordinator requests the Superintendent to review the complaint.

3.2 The Superintendent will schedule a meeting within one week of the receipt of the request for review. The participants shall be the complainant, the coordinator, and the Superintendent.

3.3 The Superintendent will make a decision within one week which shall be final. The complainant and the coordinator will receive copies of the decision.

GRIEVANCE FORM – Title IX, Part 86, Sex Discrimination

Name of: Student ☐ Employee ☐ _____

School or Department _____

Statement of Complaint:

Solution Suggested by Complainant:

_____
Signature of Student or Employee

Date Submitted _____

[Please forward to the Title IX Compliance Coordinator]

## CHECKLIST FOR EVALUATING THE CONTENT OF GRIEVANCE PROCEDURES

### Worksheet 6

Listed below are a number of questions which may be used to evaluate the content of Title IX grievance procedures and determine possible needs for modification. Questions are organized into three sections: initiation and filing of the grievance; processing of the grievance; and basic procedural rights. Remember that these questions do *not* reflect Title IX requirements; they reflect instead general principles of grievance processing. A "no" answer does *not* indicate a violation of Title IX but it may indicate an area where further specification is desirable.

Initiation and filing of grievances:

Does the grievance procedure:

1. Provide clear and adequate definitions of who may grieve, of what issues may be covered by grievances, and of the terms used throughout the procedure? Yes ☐ No ☐
2. Cover all students and employees? Yes ☐ No ☐
3. Clearly state the form and procedure for filing of grievances? Yes ☐ No ☐
4. Specify any applicable time limits for the initiation of a grievance? Yes ☐ No ☐
5. Provide for assistance to grievants in the filing/preparation/processing of a grievance? Yes ☐ No ☐
6. Specify the responsibilities of institutional/agency staff for the receipt and initial handling of grievances? Yes ☐ No ☐
7. Provide methods for informal and prompt resolution of grievances when further processing is not needed? Yes ☐ No ☐

Processing of grievances:

Does the grievance procedure:

1. State the number and levels of steps for grievance processing and the criteria for initial referral to each level? Yes ☐ No ☐
2. State the form of grievance presentation and processing (oral/written; hearing officer/hearing panel; etc.) at each step? Yes ☐ No ☐
3. Specify the criteria and procedure for the assignment of initial hearing levels? Yes ☐ No ☐
4. Delineate procedures and responsibilities for notification of all parties at each processing level? Yes ☐ No ☐

5. Delineate timelines for all activities within the grievance procedure? Yes ☐ No ☐

6. Specify the procedures which shall be used in conducting grievance hearings? Yes ☐ No ☐

   –amount of time allocated to each hearing? Yes ☐ No ☐
   –amount of time allocated to each party to the grievance? Yes ☐ No ☐
   –right of each party to representation and assistance? Yes ☐ No ☐
   –right of each party to present witnesses and evidence? Yes ☐ No ☐
   –right of each party to question witnesses? Yes ☐ No ☐
   –roles of persons involved in the hearing? Yes ☐ No ☐
   –right of grievant to determine whether hearing shall be open to the public? Yes ☐ No ☐
   –provisions/requirements for recording the hearing? Yes ☐ No ☐

7. Specify any requirements for submission of written information by grievants or others? Yes ☐ No ☐

8. State the form and timelines for the preparation of grievance decisions? Yes ☐ No ☐

9. Clearly state the procedures and timelines for the grievant's acceptance or appeal of grievance decisions? Yes ☐ No ☐

10. Specify the roles and selection of persons involved in grievance processing? Yes ☐ No ☐

Basic and procedural rights:

Does the grievance procedure:

1. Provide grievants with the right to appeal to progressive levels of decisionmaking? Yes ☐ No ☐

2. Provide assurances regarding the impartiality of hearing officers? Yes ☐ No ☐

3. Provide for confidentiality of grievance proceedings if so desired by the grievant? Yes ☐ No ☐

4. Provide for grievants' access to relevant institutional/agency records? Yes ☐ No ☐

5. Provide for the protection of grievants and respondents from harassment and entry of information into student and personnel files? Yes ☐ No ☐

6. Provide for confidentiality of grievance records if so desired by the grievant? Yes ☐ No ☐

## CHECKLIST FOR EVALUATING THE CONTENT OF GRIEVANCE PROCEDURES

### Worksheet 7

Listed below are a number of questions which may be used to evaluate the content of Title IX grievance procedures and determine possible needs for modification. Questions are organized into three sections: initiation and filing of the grievance; processing of the grievance; and basic procedural rights. Remember that these questions do *not* reflect Title IX requirements; they reflect instead general principles of grievance processing. A "no" answer does *not* indicate a violation of Title IX but it may indicate an area where further specification is desirable.

Initiation and filing of grievances:

Does the grievance procedure:

1. Provide clear and adequate definitions of who may grieve, of what issues may be covered by grievances, and of the terms used throughout the procedure? Yes ☐ No ☐
2. Cover all students and employees? Yes ☐ No ☐
3. Clearly state the form and procedure for filing of grievances? Yes ☐ No ☐
4. Specify any applicable time limits for the initiation of a grievance? Yes ☐ No ☐
5. Provide for assistance to grievants in the filing/preparation/processing of a grievance? Yes ☐ No ☐
6. Specify the responsibilities of institutional/agency staff for the receipt and initial handling of grievances? Yes ☐ No ☐
7. Provide methods for informal and prompt resolution of grievances when further processing is not needed? Yes ☐ No ☐

Processing of grievances:

Does the grievance procedure:

1. State the number and levels of steps for grievance processing and the criteria for initial referral to each level? Yes ☐ No ☐
2. State the form of grievance presentation and processing (oral/written; hearing officer/hearing panel; etc.) at each step? Yes ☐ No ☐
3. Specify the criteria and procedure for the assignment of initial hearing levels? Yes ☐ No ☐
4. Delineate procedures and responsibilities for notification of all parties at each processing level? Yes ☐ No ☐
5. Delineate timelines for all activities within the grievance procedure? Yes ☐ No ☐

6. Specify the procedures which shall be used in conducting grievance hearings? Yes ☐ No ☐

   –amount of time allocated to each hearing? Yes ☐ No ☐
   –amount of time allocated to each party to the grievance? Yes ☐ No ☐
   –right of each party to representation and assistance? Yes ☐ No ☐
   –right of each party to present witnesses and evidence? Yes ☐ No ☐
   –right of each party to question witnesses? Yes ☐ No ☐
   –roles of persons involved in the hearing? Yes ☐ No ☐
   –right of grievant to determine whether hearing shall be open to the public? Yes ☐ No ☐
   –provisions/requirements for recording the hearing? Yes ☐ No ☐

7. Specify any requirements for submission of written information by grievants or others? Yes ☐ No ☐

8. State the form and timelines for the preparation of grievance decisions? Yes ☐ No ☐

9. Clearly state the procedures and timelines for the grievant's acceptance or appeal of grievance decisions? Yes ☐ No ☐

10. Specify the roles and selection of persons involved in grievance processing? Yes ☐ No ☐

Basic and procedural rights:

Does the grievance procedure:

1. Provide grievants with the right to appeal to progressive levels of decisionmaking? Yes ☐ No ☐

2. Provide assurances regarding the impartiality of hearing officers? Yes ☐ No ☐

3. Provide for confidentiality of grievance proceedings if so desired by the grievant? Yes ☐ No ☐

4. Provide for grievants' access to relevant institutional/agency records? Yes ☐ No ☐

5. Provide for the protection of grievants and respondents from harassment and entry of information into student and personnel files? Yes ☐ No ☐

6. Provide for confidentiality of grievance records if so desired by the grievant? Yes ☐ No ☐

## SAMPLE TITLE IX GRIEVANCES

### Worksheet 8

Following this page you will find eight sample Title IX grievance worksheets. (Participant Worksheets 9-16). Each of these sample grievances reflects a day-to-day problem in Title IX implementation. Read each grievance carefully. Then, answer the questions on the grievance resolution form provided on the back of the worksheet. You will need to determine:

- whether or not the grievance is a violation of the Title IX regulation;
- your reasons for deciding whether or not it is a violation of the Title IX regulation;
- suggestions for corrective actions;
- suggestions for remedial actions.

Remember:

*Corrective actions* are those taken to modify a discriminatory policy, program, or practice to attain its compliance with the Title IX regulation.

*Remedial actions* are those taken to overcome the effects of the discriminatory policy, program, or practice.

## SAMPLE TITLE IX GRIEVANCE

### Worksheet 9

Name of Grievant *Julio Vargas* Date of Filing *9/7/76*

School or Position *Parent of Inez Vargas, student at 5th St. Elementary School, Member, Bethel Board of Education*

Address *456 Lorcom Lane*

Telephone Number *973-0188*

Nature of Grievance *It's my understanding that school districts are required by law to comply with Title IX (Education Amendments of 1972). Initial requirements include enacting a policy of nondiscrimination and notifying staff, students, and parents, designation of a compliance officer, setting up a grievance procedure and conducting an institutional self-evaluation. I have asked the superintendent repeatedly for evidence that we have met at least the first year requirements and for a record of corrective and remedial steps that have been taken by the school district. His response is that "we don't have to worry about that until someone comes in to check and that's most unlikely." I'm filing this grievance on behalf of my child who must be provided notification of the school district's policy of nondiscrimination.*

Names and addresses of others involved in the grievance and the nature of their involvement.

Julio Vargas
Signature of Grievant

Gordon Dickinson, Title IX Coordinator
Person Receiving Grievance

## RESOLUTION OF GRIEVANCE

(1) Violation: ☐ Yes ☐ No (Please give the reasons for your decision.)

(2) Corrective action recommended:

(3) Remedial measures recommended:

## SAMPLE TITLE IX GRIEVANCE

### Worksheet 10

Name of Grievant *Friends of Education Sex Stereotyping Committee* Date of Filing *11/10/76*

School or Position *Iliff Area School District*

Address *625 Columbine Street, Iliff*

Telephone Number *771-3660*

Nature of Grievance *The Sex Stereotyping Committee of the Friends of Education have completed a study of the basal reading materials used in our schools and have found the materials to be sex biased and discriminatory. The committee wishes to file a sex discrimination complaint and urges discontinuance of these materials.*

Names and addresses of others involved in the grievance and the nature of their involvement.

Peg Price, Chairperson
Signature of Grievant

*James Patton, Principal*
Person Receiving Grievance

## RESOLUTION OF GRIEVANCE

(1) Violation: ☐ Yes ☐ No (Please give the reasons for your decision.)

(2) Corrective action recommended:

(3) Remedial measures recommended:

SAMPLE TITLE IX GRIEVANCE

Worksheet 11

Name of Grievant *Flo Perkins* Date of Filing *9/25/76*

School or Position *Matron, Dade Jr. High*

Address _____

Telephone Number *229-2671*

Nature of Grievance *I am the night matron at Dade Jr. High. My job includes general cleaning. I would like to apply for the janitorial position because janitors make $1.75 per hour more than matrons for just about the same work. I was told that I could not apply for the job because it was too hazardous for a woman. When I asked, they told me that the putting up of ladders and replacing of light bulbs would be dangerous for women. I've seen the janitor in my building replace 3 lightbulbs in the last 6 months. I can do that if they would let me, but they won't let me try.*

Names and addresses of others involved in the grievance and the nature of their involvement.

*Mr. Harry Caldwell, Business Manager, Jamestown City Schools*

Flo Perkins

Signature of Grievant

*Jeanne Grant, Title IX Coordinator*

Person Receiving Grievance

## RESOLUTION OF GRIEVANCE

(1) Violation: ☐ Yes ☐ No (Please give the reasons for your decision.)

(2) Corrective action recommended:

(3) Remedial measures recommended:

## SAMPLE TITLE IX GRIEVANCE

### Worksheet 12

Name of Grievant *Nancy Holgate-Wilson* Date of Filing *10/14/76*

School or Position *Counselor, Miller High School*

Address _____

Telephone Number *265-3790*

Nature of Grievance *As a counselor in the district, I'm aware of and sensitive to my responsibilities under Title IX. Several months ago Bob Hawker, metals shop teacher, told me that if I scheduled any female into his class, she would be back in my office within two weeks. Vennie Lawrence expressed an interest in metals this fall and I scheduled her in a metals class. In ten days she was back, complaining that she was harassed by the teacher and other students. I have responsibilities under Title IX; don't teachers, too?*

Names and addresses of others involved in the grievance and the nature of their involvement.

*Vennie Lawrence, 10th grade student*

*Bob Hawker, metals shop teacher*

Nancy Holgate-Wilson
Signature of Grievant

*Lennie Maxwell, Principal*
Person Receiving Grievance

## RESOLUTION OF GRIEVANCE

(1) Violation: ☐ Yes ☐ No (Please give the reasons for your decision.)

(2) Corrective action recommended:

(3) Remedial measures recommended:

## SAMPLE TITLE IX GRIEVANCE

### Worksheet 13

Name of Grievant *Katrina Breedlove* Date of Filing *10/22/76*

School or Position *Jefferson High School, junior*

Address _____

Telephone Number *264-4966*

Nature of Grievance *I want to attend the auto mechanics course at the local vocational school. The teacher has said that this is permissible because all courses are open to boys and girls. The problem is that I am required to produce a signed statement which states that upon successful completion of the course I will have a job waiting for me. When I asked why I needed this I was told that girls have a harder time getting jobs and that there are a lot of boys waiting to get into the program. I don't think that boys have to have the same kind of statement. If I have to do that, shouldn't the boys have to do it also?*

Names and addresses of others involved in the grievance and the nature of their involvement.

*Dr. Tim Jamieson, Director, Valley View Vocational School*

Katrina Breedlove
Signature of Grievant

*Bernice Morgan, Title IX Coordinator*
Person Receiving Grievance

## RESOLUTION OF GRIEVANCE

(1) Violation: ☐ Yes ☐ No (Please give the reasons for your decision.)

(2) Corrective action recommended:

(3) Remedial measures recommended:

## SAMPLE TITLE IX GRIEVANCE

### Worksheet 14

Name of Grievant *Connie Jacobs* Date of Filing *10/18/76*

School or Position *Junior at Jamestown High School*

Address _____

Telephone Number *449-7057*

Nature of Grievance *Last year I was absent from school for the last two weeks to have a baby. When I returned this fall, Mrs. Johnson told me I couldn't be on the cheerleading squad even though I was on last year because of a rule that girls who have been pregnant can't be in after-school activities. There's a boy on the football team who brags all the time to everyone about his baby, and no one kicks him off the team even though the coach knows about it. It isn't fair.*

Names and addresses of others involved in the grievance and the nature of their involvement.

*Mrs. Gloria Johnson, cheerleading squad advisor*

Connie Jacobs

Signature of Grievant

*William Jefferson, Principal*

Person Receiving Grievance

## RESOLUTION OF GRIEVANCE

(1) Violation: ☐ Yes ☐ No (Please give the reasons for your decision.)

(2) Corrective action recommended:

(3) Remedial measures recommended:

## SAMPLE TITLE IX GRIEVANCE

Worksheet 15

Name of Grievant *Angelo Scalva* Date of Filing *9/27/76*

School or Position *PE teacher, Baker Junior High*

Address _____

Telephone Number *794-3889*

Nature of Grievance *It's my understanding that physical education classes have to be coed to comply with Title IX. Although we have mixed male/female teaching teams, the girls end up at one end of the floor with the female teacher while the boys end up at the other end with the male teacher. It happens for both contact and noncontact activities. When I've asked the physical education department head about this, he indicated that Title IX was ridiculous and that our school has devised this way of getting around the regulation. I'm uncomfortable about my involvement in something which I believe is illegal. Is there any way to resolve this issue?*

Names and addresses of others involved in the grievance and the nature of their involvement.

*Joe Kenilsworth, PE Dept. Head*

Angelo Scalva
Signature of Grievant

*Rod Meany, Principal, Baker Junior High*
Person Receiving Grievance

## RESOLUTION OF GRIEVANCE

(1) Violation: ☐ Yes ☐ No (Please give the reasons for your decision.)

(2) Corrective action recommended:

(3) Remedial measures recommended:

## SAMPLE TITLE IX GRIEVANCE

### Worksheet 16

Name of Grievant *Evelyn Marcus* Date of Filing *10/18/76*

School or Position *PE teacher at Haller Junior High*

Address _____

Telephone Number *770-5426*

Nature of Grievance *Because of the new Title IX regulations, our PE girls' and boys' departments have been consolidated in a unified department of physical education. The former boys' department chairman has been named head of the new department. The problem is that he has issued keys to the equipment room to male staff members only and has placed male staff in charge of supervising all classes (we teach in male/female teams), saying the men need the responsibility for discipline reasons. I think it's very unfair, but the chairman says that Title IX doesn't cover administrative structures and it's my tough luck. I'm not a tenured teacher; how much can I push?*

Names and addresses of others involved in the grievance and the nature of their involvement.
*Mr. James Thompson, PE department chairman, Haller Jr. High*

Evelyn Marcus
Signature of Grievant

*Carlos Montoya, Principal*
Person Receiving Grievance

## RESOLUTION OF GRIEVANCE

(1) Violation: ☐ Yes ☐ No (Please give the reasons for your decision.)

(2) Corrective action recommended:

(3) Remedial measures recommended:

# IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY: PLANNING FOR CHANGE

# GENERIC SESSION THREE

WORKSHEETS

## IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY: CONDITIONS FOR CHANGE

### Worksheet 17

In considering progress and needs related to Title IX implementation it is useful if we assess the degree to which institutions have responded to the need for change and the degree to which the conditions for change exist in our schools and community. It is on the basis of these factors that we can design intervention and action plans which can be successful for meeting our goals.

Please read each of the questions outlined below and answer as best you can in terms of your own perspective and evaluation of the present situation in your schools and community.

**Title IX Implementation—Evaluating the Specifics**

In general, how would you rate the progress made by schools in your community in the implementation of Title IX since June 1975 when the Title IX regulation became effective?

- ☐ Little progress made
- ☐ Minimal procedural compliance
- ☐ In-depth self-evaluation accomplished and appropriate corrective and remedial actions taken and/or underway
- ☐ Full implementation of Title IX throughout most of the education agency's policies, practices, and programs

**Student Programs**

One of the areas covered by Title IX is the prohibition of sex discrimination in student programs and activities. Please indicate the two aspects of student programs and activities in which you feel greatest progress has been made and the two aspects where greatest change is needed.

| Area | Greatest Progress | Greatest Need |
|---|---|---|
| Access to courses or programs | ☐ | ☐ |
| Athletics and competitive sports | ☐ | ☐ |
| Counseling and guidance | ☐ | ☐ |
| Graduation requirements | ☐ | ☐ |
| Health services/insurance | ☐ | ☐ |
| Physical education programs | ☐ | ☐ |
| Scholarships | ☐ | ☐ |
| Student regulations | ☐ | ☐ |
| Vocational education | ☐ | ☐ |
| Other (please specify) | | |
| _____ | ☐ | ☐ |
| _____ | ☐ | ☐ |

Employment

Another area covered by Title IX is the prohibition of sex discrimination in employment policies and practices. Please indicate two aspects of employment in which you feel greatest progress has been made and the two aspects where greatest change is needed.

| Area | Greatest Progress | Greatest Need |
|---|---|---|
| Differential application of nepotism rules | ☐ | ☐ |
| Fringe benefits | ☐ | ☐ |
| Hiring and selection of staff | ☐ | ☐ |
| Labor organization contracts | ☐ | ☐ |
| Leaves of absence/sabbaticals | ☐ | ☐ |
| Maternity leave provisions | ☐ | ☐ |
| Promotion policies and practices | ☐ | ☐ |
| Salary equalizations (for equivalent positions) | ☐ | ☐ |
| Tenure policies and practices | ☐ | ☐ |
| Other (please specify) | ☐ | ☐ |
| _____ | ☐ | ☐ |
| _____ | ☐ | ☐ |

What factors (training, materials, related events, etc.) have contributed most to the implementation of Title IX?

1. _____

2. _____

3. _____

What factors have retarded or impeded the implementation of Title IX?

1. _____

2. _____

3. _____

The degree of success achieved in implementing Title IX and attaining sex equity is related to the extent to which seven conditions have been met. One method of identifying needed action steps is to determine the degree to which these seven conditions have been met in your schools and community. Questions regarding the existence of these conditions are provided below.

1. Is there a consensus regarding the existence of sex discrimination and bias in education and the need for their alleviation?

2. Is there an understanding of the sources of sex discrimination and bias in education and their possible effects?

3. Is there leadership committed to and articulating goals for change?

4. Have change goals for the achievement of equity and models for accomplishing goals been specified?

5. Have human and financial resources been allocated for change efforts?

6. Do education personnel have the capability (knowledge and skills) for delivering educational equity?

7. Is there a system for the recognition of progress in educational policies, programs, and practices and the reinforcement of personnel who have made efforts toward the delivery of nonsexist services?

The questions on the following pages ask you to consider the degree to which these conditions now exist, the types of actions or interventions which might be taken to contribute to their achievement, and the priorities for efforts in these directions.

Please rate your assessment of the general existence of each of the change conditions listed below on a scale from 1 through 5. Indicate your rating by circling the appropriate number.

1. **Consensus regarding the existence of sex discrimination and bias in education and the need for their alleviation.**

   A. To what extent do you believe that there is general awareness/agreement on the existence of sex discrimination and sex-role stereotyping in education?

   1 — 2 — 3 — 4 — 5

   Little or no awareness/agreement — Widespread awareness/agreement

   B. To what extent do you believe that the alleviation of sex discrimination and sex-role stereotyping is a priority concern within the education community?

   1 — 2 — 3 — 4 — 5

   Low priority — High priority

   C. To what extent do you believe that Title IX is seen as a significant tool for the attainment of sex equity in education?

   1 — 2 — 3 — 4 — 5

   Little or no significance — Major significance

2. **Understanding of the sources of sex discrimination and bias in education and their possible effects.**

   A. To what degree do you feel that there is a general understanding of the sources of sex discrimination and bias and their operation?

   Those sources specified in the Title IX regulation?

   1 — 2 — 3 — 4 — 5

   Little or no understanding — Extensive understanding

   Those sources not addressed in the Title IX regulation?
   (e.g., stereotyping in curriculum)

   1 — 2 — 3 — 4 — 5

   Little or no understanding — Extensive understanding

   B. To what extent do you believe that there is an understanding of the possible relationships between sex discrimination/stereotyping in education and sex differences in educational and career outcomes?

   1 — 2 — 3 — 4 — 5

   Little or no understanding — Extensive understanding

3. **Existence of leadership committed to and articulating goals for change in education**

   A. To what extent do you believe that leadership exists for the translation of consensus and understanding of the issues of sex discrimination and bias into goals for organizational and institutional action?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Little or no leadership | | | | Effective leadership |

   B. To what extent do you believe that educational leadership has articulated its commitment to the elimination of sex discrimination and sex bias in education?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Little articulation of commitment | | | | Extensive articulation of commitment |

4. **Specification of change goals for the achievement of equity and models for accomplishing change**

   A. To what degree have the requirements of Title IX and the concerns related to sex equity in education been specified and incorporated within the policies, program plans, and management procedures of education institutions/agencies?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Little or no specification/incorporation | | | | Extensive specification/incorporation |

   B. To what degree do models for such specification and incorporation exist?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Little or no development of models | | | | Extensive model development |

5. **Allocation of human and financial resources for achieving change**

   A. To what degree have responsibilities for Title IX implementation and attainment of sex equity been assigned to all personnel within education institutions/agencies?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Responsibilities unassigned | | Responsibilities centralized | | Responsibilities distributed across levels and functions |

   B. To what degree have financial resources been allocated to the achievement of Title IX compliance and/or other activities related to the attainment of sex equity?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Few resources allocated | | | | Significant resources allocated |

6. **Capability of education personnel for achieving equity**

   A. What is the general estimate of the level of capability of education personnel (their possession of knowledge and skills) to implement Title IX and to attain sex equity in education?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Little or no capability | | | | Extensive capability |

7. A system for the recognition of progress in educational policies, programs, and practices and the reinforcement of personnel who have made efforts toward the delivery of nonsexist services?

A. To what extent do you believe that there is positive recognition of efforts or programs to achieve Title IX implementation and sex equity?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Little or no recognition | | | | General recognition |

B. To what extent do you believe that there is reinforcement and support of staff efforts to eliminate discrimination and bias in the delivery of services?

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Little or no reinforcement | | | | Major reinforcement |

Although it is likely that activities directed toward the greater attainment of each of these conditions would be desirable, it may be useful to consider your priorities for action. Please consider each of the conditions listed below and rank them in terms of your priorities for attention by placing a 1 beside the area you believe needs greatest attention at this time, a 2 beside the second most important area, etc.

1. Achieving consensus regarding the existence of sex discrimination and sex bias in education and the need for their alleviation ☐
2. Developing an understanding of the sources of sex discrimination and bias in education and their possible effects ☐
3. Increasing leadership committed to and articulating goals for change in education ☐
4. Specifying the change goals for the achievement of equity and models for accomplishing these changes ☐
5. Increasing the allocation of human and financial resources to education equity concerns ☐
6. Increasing the capability of education personnel to achieve equity ☐
7. Developing a program of recognition and reinforcement for efforts to eliminate sex discrimination ☐

Review the priorities which you have assigned to the six conditions. Select the two conditions which you ranked 1 and 2 and list them in the space provided below. To the side, list the actions which could be taken by various groups within your community to increase the degree to which each of the conditions exists. Place an asterisk (*) by those action steps which you can initiate or support.

| Condition | Actions which can be taken |
| --- | --- |
| 1. | |
| 2. | |

## TITLE IX ACTION PLANNING SHEET

### Worksheet 18

### I. Establishing Change Objectives

What three actions related to Title IX compliance and the elimination of sexism in your own professional functioning, or in the policies, programs, or practices of your education agency would you most like to see accomplished during the next year?

1.

2.

3.

Select one of the actions and write the change objective which is most important to you. Make sure it answers the following questions:

- *What* is to be changed?
- *Who* is going to change or be changed?
- *How* will they be changed?
- *Where* will the change occur?
- *When* will the change occur?

### II. Identifying Barriers and Supports for Change

A. What are the important barriers that you will encounter in working toward the change objective that you've selected?

B. What supports will you have in working toward your change objectives?

## III. Reevaluating Your Change Objective

Now that you've identified barriers and supports for your change objective, think about the following questions:

Is attainment of the change objective *possible?*

Is attainment of the change objective *probable?*

Is the objective stated in behavioral and concrete ways?
Is it *observable* and/or measurable?

Have you set a *timeline* for achieving the objective?

Do you believe your change objective is the *best available alternative* for achieving your change goals?

Is this something you *really* want to achieve?

If the answer to any of these questions is "no," you may need to modify your change objective.

## IV. Planning for Accomplishing the Objective

### A. Resources for change

What sources (knowledge, skills, money, people, etc.) will you need to achieve your change objective?

*knowledge/skills:*

*money:*

*people:*

B. Action steps

List below the necessary first steps that you will have to take to meet your change objectives, and the timelines you will set for their completion.

| Action Step | Time Completed |
|---|---|
| 1. | |
| 2. | |
| 3. | |
| 4. | |
| 5. | |
| 6. | |
| 7. | |
| 8. | |
| 9. | |
| 10. | |

# RESOURCES FOR IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY IN EDUCATION

# RESOURCES FOR IMPLEMENTING TITLE IX AND ATTAINING SEX EQUITY IN EDUCATION

The following lists of publications and audio-visual materials have been compiled to suggest resources which workshop participants may use for extending their knowledge and skills related to implementing Title IX and attaining sex equity in education. The listing is not meant to be exhaustive; it is intended to provide a general overview of the materials which are currently available. Workshop participants are urged to use this listing as a beginning point for the identification of continually emerging resources which may assist sex equity efforts.

The resources are organized within three listings. These include:

- **Title IX And Its Implementation**

This listing of resources includes materials which provide an explanation of Title IX and requirements of the Title IX regulation as they affect elementary and secondary schools. Emphasis has been given to those materials which provide assistance in the implementation of Title IX.

- **Attaining Sex Equity:**

–In Schools

Resources which give general information on the manifestations of sexism in education have been included in this section.

–In Counseling

This listing identifies resources which are specifically directed to counselors as they work to implement sex equity.

–In Curriculum

Materials which can assist classroom teachers in attaining sex equity in the curriculum are included in this section.

–In Physical Education and Athletics

Issues and concerns related to sex equity in physical education and athletics are considered in the materials listed in this section.

- Audio-Visual Resources

–Sex-Role Socialization of Girls and Women in Education

The resources identified under this heading deal with sexism as it is manifested in education.

–Sex-Role Socialization of Girls and Women

The resources listed under this heading deal with the socialization of girls and women in the larger society.

–Positive Images of Women

Each of the resources listed under this heading provides a positive view of the changing sex roles in our society and the ways that women are dealing with these changing roles.

It should be noted that the listings provided do not include resources for persons interested in sex equity in higher education. Such a listing may be found in the materials prepared for post-secondary education personnel.

Many State education agencies have prepared relevant materials which would be most useful to educators. Because these materials vary in their national applicability and availability, they have been omitted from the list except in those instances where comparable materials were not available from other sources. Interested persons should contact State education agencies for further information.

Boesdorfer, Kent; Hawthorne, Richard; Kaser, Joyce; and Patton, William. *A Guide for Title IX Self-Study.* Kent, Ohio: Kent State University, College of Education, KEDS General Assistance Center (Wright Hall, Kent, Ohio 44242), December 1975. 76 pp.

This document presents a comprehensive series of steps and tables which can be used by a school district to acquire a data base and to develop an action program related to Title IX compliance.

Dunkle, Margaret C. and Sandler, Bernice. "Sex Discrimination Against Students: Implications of Title IX of the Education Amendments of 1972." *Inequality in Education* (October 1974): 12-35. Cambridge, Mass.: Center for Law and Education, Harvard University.

A comprehensive analysis of the provisions of the Title IX regulation prohibiting discrimination on the basis of sex against students at all educational levels is given here. The article examines some of the specific practices and policies which may be discriminatory and suggests modifications which may be required for compliance under Title IX.

Furniss, W. Todd. *Grievance Procedures: A Working Paper.* Washington, D.C.: Commission on Academic Affairs, American Council on Education (One Dupont Circle, N.W., Washington, D.C. 20036), December 1975.

This working paper provides an overview of the use of grievance procedures in higher education. It examines grievance procedures within the context of the Title IX requirement and outlines the factors to be considered in developing a grievance procedure.

Matthews, Martha and McCune, Shirley. *Complying With Title IX: Implementing Institutional Self-Evaluation.* Washington, D.C.: Resource Center on Sex Roles in Education. National Foundation for the Improvement of Education (1201 16th Street, N.W., Washington, D.C. 20036), 1976. 142 pp.

Aimed at local education agencies, this manual provides materials to assist in the implementation of an institutional self-evaluation. It is organized into sections which follow the substantive areas of the Title IX regulation. Each section contains a citation of the regulation, a discussion of issues relating to compliance, specific data and questions for use in determining compliance, and procedural checklists to assist in designing and monitoring the evaluation process.

Matthews, Martha and McCune, Shirley. *Title IX Grievance Procedures: An Introductory Manual.* Washington, D.C.: Resource Center on Sex Roles in Education, National Foundation for the Improvement of Education (1201 16th Street, N.W., Washington, D.C. 20036), 1976. 106 pp.

This manual is designed to assist education institutions and agencies in developing, evaluating, and implementing Title IX grievance procedures. It contains a review of both general issues and specific considerations related to Title IX grievance procedures, a sample procedure, and a number of tools for implementing or evaluating grievance procedures.

McCune, Shirley and Matthews, Martha. *Complying With Title IX: The First Twelve Months.* Washington, D.C.: Resource Center on Sex Roles in Education. National Foundation for the Improvement of Education (1201 16th Street, N.W., Washington, D.C. 20036), 1977. 28 pp.

This booklet outlines the five procedural tasks that must have been completed by July 21, 1976 in order to ensure Title IX compliance, and provides an implementation aid for each task.

McCune, Shirley; Matthews, Martha; Boesdorfer, Kent; Kaser, Joyce; and Cusick, Judy. *Implementing Title IX: A Sample Workshop.* Washington, D.C.: Resource Center on Sex Roles in Education. National Foundation for the Improvement of Education (1201 16th Street, N.W., Washington, D.C. 20036), 1977. 199 pp.

This publication provides a step-by-step outline of a six-hour training workshop for education personnel in local education agencies. The objectives, procedures, content, required materials, and time schedules for each of eight workshop activities are provided. The focus of the workshop is on understanding the general responsibility of schools for nondiscrimination, the context for Title IX, the requirements of the Title IX regulation, the Title IX grievance process, and planning for change.

National Education Association. *What Every Teacher Should Know About Student Rights.* Washington, D.C.: National Education Association (1201 16th Street, N.W., Washington, D.C. 20036), 1975. 41 pp.

This booklet for teachers reviews pertinent state and Federal regulations as they pertain to the rights of students. Included is a chapter on Title IX and its implications for student rights.

Project on the Status and Education of Women. *Partial List of Actions Institutions Must Take Under Title IX.* Washington, D.C.: Project on the Status and Education of Women, Association of American Colleges (1818 R Street, N.W., Washington, D.C. 20009), November 1975. 4 pp.

Specific actions are identified which must be taken to achieve institutional compliance with Title IX. Included are such steps as notification of policy, designation of Title IX specialist, adoption of grievance procedures, and institutional self-evaluation.

Raffel, Norma. *Title IX—How It Affects Elementary and Secondary Education.* Denver, Colorado: Equal Rights for Women in Education Project, Education Commission of the States (300 Lincoln Tower, Denver, Colorado 80203), February 1976. 33 pp.

This booklet describes both the Title IX regulation and its implications for elementary and secondary education. It identifies actions required by the regulation, and dates by which schools must meet compliance requirements. It also suggests procedures which might aid school districts in the implementation of Title IX.

Resource Center on Sex Roles in Education. *Complying with Title IX: A Resource Kit.* Washington, D.C.: Government Printing Office, 1976.

This resource kit is designed to provide information and materials which can assist education agencies and institutions in determining and ensuring their compliance with Title IX of the Education Amendments. It consists of the following nine components:

- *Equal Opportunity—A Fundamental American Right.* This small pamphlet provides a general thematic and photographic introduction to the issues of equal educational opportunity. It establishes a context for understanding Title IX.

- *Why Title IX?* This short booklet reviews data which document the existence of sex discrimination in education in those areas covered under Title IX, and data which suggest its possible effects.

- *Title IX of the Education Amendments of 1972: A Summary of the Implementing Regulation.* A detailed summary of the Title IX Regulation is provided in concise form.

- *Identifying Discrimination: A Review of Federal Antidiscrimination Laws and Selected Case Examples.* Laws prohibiting race and sex discrimination against students and employees of educational institutions are reviewed. Examples of discriminatory situations drawn from actual school districts and postsecondary institutions are described and analyzed.

- *Complying with Title IX: The First Twelve Months.* This booklet outlines the five procedural tasks that must be completed by July 21, 1976, in order to ensure Title IX compliance, and gives implementation aids for each task.

- *Complying with Title IX: Implementing Institutional Self-Evaluation.* This 142-page manual is directed toward local education agencies; it provides materials to assist in the implementation of an institutional self-evaluation. It is organized into sections which follow the substantive areas of the Title IX regulation. Each section contains a citation of the regulation, a discussion of issues relating to compliance, specific data and questions for use in determining compliance, and procedural checklists to assist in designing and monitoring the evaluation process.

- *Title IX: Selected Resources.* This listing identifies available materials relating to Title IX compliance. It contains an appendix listing guidelines and materials developed by various state education agencies and general assistance centers.

- *Equal Educational Opportunity* and *Equal Employment Opportunity.* These two posters outline the rights of students and employees to equal opportunity without regard to race or sex. They may be displayed in institutions as one means of policy notification.

Sadker, Myra. *A Student Guide to Title IX.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office of Education, 1977. 50 pp.

This booklet is designed to provide junior and senior high school students with information on their legal rights and responsibilities, as students, ways in which sex discrimination is manifested in schools, Title IX requirements for nondiscrimination which pertain to students, and steps students can take if they believe discrimination exists in their schools.

Steinhilber, August W. "Here's What the Tough New Federal Rules Against Sex Bias Mean for Public Schools." *The American School Board Journal* (August 1974): 20-21.

This brief overview of the implications of Title IX for secondary schools is directed to administrators.

U.S. Department of Health, Education, and Welfare. National Institute of Education. *Race and Sex Discrimination in Educational Institutions. Federal Laws and Regulations.* Washington,

D.C.: Department of Health, Education, and Welfare. National Institute of Education, 1976.

This chart, prepared in 1976, summarizes the coverage of five Federal laws and regulations—Executive Order 11246 as amended by 11375, Titles VI and VII of the Civil Rights Act of 1964, the Equal Pay Act, and Title IX—and reviews the complaint procedure available under each statute or regulation.

U.S. Department of Health, Education, and Welfare. Office for Civil Rights. *Final Title IX Regulation Implementing Education Amendments for 1972 Prohibiting Sex Discrimination in Education.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office for Civil Rights, June 1975.

This booklet contains the full text of the final Title IX regulation, as well as explanatory materials issued by the Department of H.E.W. There is also a section describing the changes made in the original proposed Title IX regulation based upon the public comments received by October 1974.

Vergon, Charles B. *Title IX Self-Evaluation Guide for Elementary and Secondary School Districts.* Ann Arbor, Mich.: Program for Educational Opportunity, School of Education, University of Michigan (Ann Arbor, Mich. 48109), January 1976. 48 pp.

This manual consists of forms for conducting an institutional self-evaluation and for indicating the future policy modifications, remedial and corrective measures which institutions may need to undertake.

## ATTAINING SEX EQUITY

### In Schools

Alfrey, Jean. *Equal Rights for Women in Education: A Resource Handbook for Policy Makers.* Denver, Colo.: Education Commission of the States (300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203), January 1976. 122 pp.

Designed to aid a broad range of educational policy makers, this handbook gives an overview of nine selected areas of education: adult education, athletics, employment in elementary/secondary education, guidance and counseling, higher education, sex-role stereotyping in curricular materials, teacher training and certification, treatment of students, and vocational education. Resource organizations and recent state action in these areas are provided.

Bereaud, Susan; Stacy, Judith; and Daniels, Joan, eds. *And Jill Came Tumbling After: Sexism in American Education.* New York: Dell Publishing Company, 1974.

This general anthology of contemporary essays on sexism in American education covers sex-role socialization and sex-role stereotyping in preschools, elementary schools, high schools, and universities. It contains an annotated bibliography of further readings and a resource list for action and information. The book provides extensive background information useful to any educator or interested person.

Frazier, Nancy and Sadker, Myra. *Sexism in School and Society.* New York: Harper and Row, 1973.

Addressed specifically to teachers, this volume provides an overview and synthesis of basic issues related to sexism in education. It contains data and interpretive information on sex-role socialization and its outcomes for females and males, on the "hidden curriculum" in elementary and secondary schools, on the "male university," and on approaches to change in sexist educational practices. A selected annotated bibliography on sexism in education is included, as is a questionnaire on sex bias in education.

McCune, Shirley and Matthews, Martha. *Programs for Equity: Schools and Affirmative Action.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office of Education, 1975.

This manual outlines the technology of affirmative action as applied in local education agencies. It provides a background section delineating the evolution of affirmative action plans and gives a step-by-step guide for the preparation of an affirmative action plan. A unique feature of the document is the dual emphasis on employment affirmative action and program affirmative action—the elimination of race and sex discrimination in the programs, policies, and practices relating to students. The publication was prepared prior to the issuance of the Title IX regulation; as a result, the section on program affirmative action is dated but the section on affirmative action in employment remains useful.

Pennsylvania Department of Education, *Self-Study Guide to Sexism in Schools.* Harrisburg, Pa.: Department of Education, 1974.

Suggestions are given in this guide for evaluating curriculum, instructional materials, libraries, staffing patterns, guidance and counseling, admissions, extracurricular activities,

and the general school environment, to ensure that they are free of sex bias. Exhibits are included which document Pennsylvania laws, executive orders, and administrative memoranda concerning the elimination of sexism in Pennsylvania schools.

Pierson, William. *Equal Rights for Women in Education—An Overview of Federal Court Decisions Affecting Equal Rights for Women in Education.* Denver, Colorado: Education Commission of the States, Equal Rights for Women in Education Project (300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203), June 1975. 184 pp.

Published one month prior to the issuance of the Title IX implementing regulation, this report's coverage of Title IX itself is brief. However, it contains valuable information on the evolution of legal theories covering sex discrimination in education, and cites court decisions and statutory provisions which have set precedents for coverage and interpretation under Title IX of the Education Amendments.

**In Counseling**

Farmer, Helen and Backer, Thomas E. *Counselor's Sourcebook: Career Guidance and Vocational Counseling for Women Sourcebook.* New York: Human Sciences Press, forthcoming.

This sourcebook is intended as a companion to currently available texts in the career guidance/counseling field. It emphasizes the most recent statistical information on women and the work force. Aimed at counselors, counselor trainers, and researchers, it supplies information on career opportunities for women, sex-free counseling procedures, and current social science research on women and the work force.

Stebbins, Linda B.; Ames, Nancy L.; and Rhodes, Ilana. *Sex Fairness in Career Guidance. A Learning Kit.* Cambridge, Massachusetts: ABT Publications, 1975.

The kit is composed of a 265-page manual (which includes chapters on orientation to sex-fairness; recommendations for a comprehensive sex-fair guidance program and guidelines for sex-fair use of career interest inventories; a resource guide; and numerous training exercises), ditto masters, scenario cards for role play, counselor-client interaction transcripts, and a cassette of simulated counseling exercises. Some parts of the kit are intended to be used by the counselor with her/his client; others are designed for use in pre- or inservice counselor education programs.

Diamond, Esther E. *Issues of Sex Bias and Sex Fairness in Career Interest Measurement.* U.S. Department of Health, Education, and Welfare, National Institute of Education, Career Education Program, 1975.

This is a book of eleven readings prepared for a 1974 NIE-sponsored workshop on sex fairness in career interest inventories. The essays focus on such subjects as "Reducing Sex Bias: Factors Affecting the Client's View of the Use of Career Inventories," "Expanding Opportunities for the Reentry Woman," and "The Legal Implications of Sex Bias in Interest Inventories." Also included are "Guidelines for Assessment of Sex Bias and Sex Fairness in Career Interest Inventories," developed by the National Institute of Education.

**In Vocational Education**

Maher, Sheila M. *Exemplary Strategies for Elimination of Sex Bias in Vocational Programs.* Washington, D.C.: Human Resources Management, 1976.

Prepared for the National Advisory Council on Vocational Education, this report identifies and reviews projects, conferences, and materials which are (or, in the case of conferences, have been) designed to break down sex-role stereotypes in career choices.

Steiger, Jo Ann. *The Vocational Preparation of Women.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Secretary's Committee on the Rights and Responsibilities of Women, 1975.

This pamphlet provides a comprehensive overview of issues relating to sex stereotyping and sex discrimination in vocational education programs. It includes documentation regarding the participation of women in the paid workforce and in vocational education, and delineates specific problems in the vocational education of women. Recommendations for change in Federal policies and programs are made, and a listing of Federally funded projects relating to vocational education for women are also included.

U.S. Congress. House. Committee on Education and Labor, *Sex Discrimination and Sex Stereotyping in Vocational Education. Hearings before the Subcommittee on Elementary, Secondary, and Vocational Education.* 94th Cong., 1st Sess., 1975.

The Congressional hearings regarding possible inclusion of prohibitions of sex discrimination within the Vocational Education Act are collected in this document. In addition to transcripts of statements by various Federal officials and women's projects and other organizational representatives, the publication includes a reprint of *Women in Vocational Education,* a 1974 report prepared for the National Advisory Council on Vocational Education. The report provides data on the current status of women in the world of work, the current status of vocational-technical education for females, sexism in society and education, staff-related problems for women in education, affirmative action for women in education and employment, and implications for change in vocational-technical education.

**In Curriculum**

Ahlum, Carol and Fralley, Jacqueline. *High School Feminist Studies.* Old Westbury, N.Y.: The Feminist Press, 1976.

This volume contains 23 syllabi or descriptions of courses developed by high school teachers in the area of feminist, or women's, studies. The selections are divided into 3 categories—history, literature, and interdisciplinary (those courses on the lives of contemporary women, and on sex-role stereotyping in such aspects of society as the media, education, and work).

Educational Challenges, Inc. *Today's Changing Roles: An Approach to Nonsexist Teaching.* Washington, D.C.: Resource Center on Sex Roles in Education, National Foundation for the Improvement of Education, 1974.

This publication provides a model for dealing with sex-role stereotypes in the elementary, intermediate, and secondary classroom. Student activities are grouped into interdisciplinary units which contain elements of language arts, social studies, and history. Teachers are provided with lesson plans which include behavioral objectives, learning concepts, and materials for use in the classroom. Most of the materials could be adapted for use in adult workshops on sex-role stereotyping.

Guttentag, Marcia; Bray, Helen; et. al. *Undoing Sex Stereotypes: Research and Resources for Education.* New York: McGraw-Hill Book Company, 1976, 342 pp.

This book documents a field survey and intervention program for changing sex-role stereotyping in children. In several school systems, at three different age levels, in cooperation with teachers and administrators, using many diverse types of materials, the research team measured children's attitudes about sex roles and then attempted to change them toward nonstereotyped perspectives. This report of the methods used for changing sex-role stereotypes and the outcomes of the intervention is of general interest to all educators. In addition, the report provides a variety of curriculum resources and lesson plans which could be used at elementary and secondary levels.

Henslee, Tish and Jones, Peg. *Freedom of Reach for Young Children: Nonsexist Early Childhood Education.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office of Education, 1977.

Designed primarily for teachers of children in preschool and primary grades, this booklet includes background information on sex-role development in young children, discusses planning for change, and provides nonsexist teaching and learning activities.

Sadker, David. *Being a Man—A Unit of Instructional Activities on Male Role Stereotyping.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office of Education, 1977.

Developed for use by educators in junior and senior high schools, this publication is divided into two sections: the first, intended for teachers, provides background information on issues of sex-role stereotyping; the second contains classroom strategies and lesson plans intended to help students clarify, analyze, and evaluate the male role stereotype and sex-role stereotyping in general.

Shargel, Susan and Kane, Irene. *We Can Change It!* San Francisco, CA: Change for Children (2588 Mission St., No. 226, San Francisco, Cal. 94110), 1974.

This packet was prepared for parents and teachers of preschool and primary school-age children to help them overcome sex-role stereotyping in curriculum and play. Common problem situations and solutions are suggested. The packet includes bibliographic resources and a collection of 15 photographs showing women in nontraditional jobs.

Sprung, Barbara. *Non-Sexist Education for Young Children—A Practical Guide.* New York: Citation Press, 1975.

This guide for teachers and parents on how to overcome sex-role stereotyping in early childhood education programs includes 5 units of study, all of which were field tested in preschool centers: "Families," "Jobs People Do," "The Human Body," "Homemaking," and "Sports." In addition, the guide offers suggestions for eliminating sexism in such traditional preschool settings as the housekeeping, workbench, and arts and crafts areas. An annotated list of nonsexist children's books, toys, and other resources is included.

In Physical Education and Athletics

Dunkle, Margaret. *Competitive Athletics: In Search of Equal Opportunity.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office of Education, 1976. 150 pp. (May be obtained from the U.S. Government Printing Office or the Resource Center on Sex Roles in Education.)

This manual was prepared primarily for athletic directors, administrators, coaches, and others concerned with providing equal athletic opportunity in colleges and universities, although persons working at the secondary level should also find it useful. It provides institutions with a guide for gathering and evaluating information to assess equal opportunity in their athletic programs and for developing strategies to attain equal opportunity.

Project on the Status and Education of Women. *What Constitutes Equality for Women in Sport? –Federal Law Puts Women in the Running.* Washington, D.C.: Project on the Status and Education of Women, Association of American Colleges (1818 R Street, N.W., Washington, D.C.), September 1975. 22 pp.

Provided in this monograph is a comprehensive analysis of concerns related to equality for women in sports. Attitudes towards women in sports, legal mandates, physiological differences between the sexes, and details of the implementation of Title IX are reviewed and documented. An extensive bibliography on the subject is included.

Resource Center on Sex Roles in Education. *Title IX and Physical Education: A Compliance Overview.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office of Education, 1977. Adapted from *Title IX of the Education Amendments of 1972: A Manual on Physical Education and Sports Programs,* by Marjorie Blaufarb and consultants and staff of the American Alliance for Health, Physical Education, and Recreation.

Aimed at physical education teachers and school administrators, this booklet attempts to provide a basic understanding of Title IX compliance requirements and possibilities for departments of physical education. The first section focuses on reviewing the Title IX requirements; the second upon issues and activities related to the achievement of compliance.

Skidmore, Patricia. *Women in Sports.* Washington. D.C.: Women's Equity Action League (National Press Building, Washington, D.C. 20045), Summer 1975.

The kit contains materials developed by WEAL and the Project on the Status and Education of Women which deal with sex discrimination in sports. It also contains a copy of the final Title IX regulation, the OCR memorandum on the "Elimination of Sex Discrimination in Athletic Programs," and the EEOC's "Guidelines on Discrimination Because of Sex." A bibliography of pertinent materials is enclosed.

U.S. Department of Health, Education, and Welfare. Office for Civil Rights. *Memorandum to Chief State School Officers, Superintendents of Local Educational Agencies and College and University Presidents re Elimination of Sex Discrimination in Athletic Programs.* Washington, D.C.: U.S. Department of Health, Education, and Welfare, Office of Civil Rights, September 1974.

The memorandum provides Federal guidance on the major responsibilities of elementary-secondary and higher education institutions with regard to Title IX compliance requirements regarding athletic activities and athletic scholarship programs.

Women's Rights Project. *Sex Discrimination in Athletics and Physical Education.* New York, N.Y.: American Civil Liberties Union, Women's Rights Project (22 E. 40th Street, New York, N.Y. 10016), January 1975. 133 pp.

Many major areas of concern regarding discrimination in athletics and physical education are addressed in this collection of materials. Included are discussions of Title IX and Executive Order 11246 and methods of enforcement; legal memoranda on the appropriate standard of review in sex discrimination cases under the Fourteenth Amendment and on the law that has so far developed under state equal rights amendments; case citations of athletics cases involving sex discrimination already decided in the courts; organizing advice and strategies; and a bibliography.

## AUDIO-VISUAL RESOURCES

**Sex-Role Socialization of Girls and Women In Education**

| | | |
|---|---|---|
| "Anything They Want To Be" | Available from:<br>University of California at Berkeley<br>Extension Media Center<br>Berkeley, California 94720<br>(415) 642-0462<br>Rental: $12 Purchase: $95 | Color<br>7 min. |

This film explores sex-role stereotypes in intellectual and career-oriented activities. Covering events in multi-racial settings on the elementary and high school levels, the film illustrates two themes: the low level of competence expected of girls in both academic and vocational problem-solving tasks, and the subtle manner in which girls' aspirations are channeled. The film shows how sex bias manifests itself in a crafts class, how one girl's attempt to solve a mechanical problem is thwarted, how the assumption that girls are not competent in science can reveal itself, and how career expectations are already sex-biased in kindergarten pupils. A handbook on sex bias in schools, *In All Fairness*, accompanies the film.

For use with: students, grade 4 and up; teachers; counselors; school administrators; parents.

| | | |
|---|---|---|
| "Changing Images" | Available from:<br>University of California at Berkeley<br>Extension Media Center<br>Berkeley, California 94720<br>(415) 642-0462<br>Rental: $14 Purchase: $130 | B&W<br>15 min. |

A culturally-diverse class of second and third grade children is led by the teacher through a five-week project designed to explore sex-role stereotypes, especially in regard to careers. The children begin the project uniformly in favor of traditional roles. Midway through the course they begin to show an understanding of the concept of stereotyping and they begin to question their former assumptions. By the end of the project, most of the children demonstrate a clear grasp of the meaning of stereotyping and a new-found belief that boys and girls can do and be anything they want to. Teachers, in particular, who wanted to try a similar awareness-raising program probably would be inspired to begin as a result of watching the film. A handbook on sex bias in schools, *In All Fairness*, accompanies the film.

For use with: students, grade 4 and up; teachers; counselors; school administrators; parents.

| | | |
|---|---|---|
| "Hey! What About Us?" | Available from:<br>University of California at Berkeley<br>Extension Media Center<br>Berkeley, California 94720<br>(415) 642-0462<br>Rental: $14 Purchase: $200 | Color<br>15 min. |

This film depicts sex-role stereotyping in physical education classes, playground games, and classroom behavior, and contrasts these examples with nonstereotyped sequences. The film considers the exclusion of girls from sports, the reinforcement of the hero ethic in boys, differential teacher treatment of girls and boys on the playground, exclusion of boys from dance, and differ-

ential physical interaction of teachers with girls and boys. In contrast, children are shown engaged in activities typical of the opposite sex: a girl displays competence in football; a boy excells in dance. Most events occur in multi-racial elementary school settings. A handbook on sex bias in schools, *In All Fairness*, accompanies the film.

For use with: students, grade 4 and up; teachers; counselors; school administrators; parents.

| | | |
|---|---|---|
| "I is for Important" | Available from:<br>University of California at Berkeley<br>Extension Media Center<br>Berkeley, California 94720<br>(415) 642-0462<br>Rental: $15 Purchase: $160 | Color<br>32 min. |

This film focuses on sex-role stereotyping in social interactions and emotional expression in a nursery school, elementary school, and high school. We view the resistance of preschool children to role reversal in play, the anxiety felt by boys over appearing to be a "sissy" before their peers, and the indoctrination of girls with commercial definitions of beauty. The children shown are from various ethnic groups. *In All Fairness*, a handbook on sex bias in education, accompanies the film.

For use with: students, grade 4 and up; teachers; counselors; school administrators; parents.

| | | |
|---|---|---|
| "Images of Males and Females in Elemen ary School Textbooks" | Available from:<br>Resource Center on Sex Roles in Education<br>1201 16th Street, N.W.<br>Room 701<br>Washington, D.C. 20036<br>(202) 833-5426<br>Rental: $50 deposit<br>Purchase: $200 individual<br>$250 institution<br>(Postage additional) | 3 slide carousels<br>1 tape<br>48 min. |

The portrayal of males and females in elementary school textbooks is the subject of this slideshow developed by Lenore Weitzman and Diane Rizzo. The study documents the relative omission of females and the stereotyped roles of both sexes found in the illustrations of textbooks most frequently used in classrooms throughout the country. Pictures in mathematics, science, spelling, reading, and social studies texts are analyzed not only by sex, but by race and age level as well.

For use with: junior and senior high school students, teachers, counselors, school administrators, parents.

| | | |
|---|---|---|
| "Sexism in Career Education Materials" | Available from:<br>Women on Words and Images<br>P.O. Box 2163<br>Princeton, New Jersey 08540<br>(609) 921-8653<br>Rental: $35 plus $5 Postage and handling<br>Purchase: $300 | 1 filmstrip<br>1 cassette |

This filmstrip, developed under the sponsorship of the National Institute of Education, examines career education materials earlier considered to be nonsexist.

For use with: junior and senior high school students, guidance counselors, teachers, school administrators.

| | | |
|---|---|---|
| "Sexism in Foreign Language Textbooks" | Available from:<br>Women on Words and Images<br>Dept. N, P.O. Box 2163<br>Princeton, New Jersey 08540<br>(609) 921-8653<br>Rental: $35 Purchase: $300 | Color<br>25 min. |

This slide show explores the sexist content of 25 foreign language textbooks by 16 publishers. Females are shown to be underrepresented in the dialogues, photographs, and stories of French, Spanish, and German language textbooks.

| | | |
|---|---|---|
| "Sugar and Spice" | Available from:<br>Odeon Films<br>1619 Broadway<br>New York, New York 10019<br>Rental: $20 Purchase $275 | Color<br>32 min. |

This film documents efforts by teachers and parents in three different schools to offer nontraditional opportunities to boys and girls on the preschool and elementary school levels. The parents and teachers discuss their own growing awareness about sex-role stereotyping and its effects on them and their children and students. Children who are at different levels of awareness concerning expanding male and female roles are shown in class discussions and at play.

For use with: teachers, counselors, school administrators, parents.

| | | |
|---|---|---|
| "Title IX" | Available from:<br>Margaret McCormick<br>Human Relations Program<br>St. Cloud State University<br>St. Cloud, Minnesota 56301<br>(612) 255-3023<br>Rental: $35 Purchase: $150 | 1 slide carousel<br>cassette tape<br>15 min. |

This slide/tape presentation provides basic information on the requirements of Title IX and explores the spirit behind the law.

For use with: school administrators, faculty, parents.

| | | |
|---|---|---|
| "Women Emerging" | Available from:<br>University of California at Berkeley<br>Extension Media Center<br>Berkeley, California 94720<br>(415) 642-0462<br>Rental: $18 Purchase: $215 | B&W<br>30 min. |

The meaning of being a woman in a time of changing roles and opportunities is explored in this film which documents the experiences of a multi-cultural women's class in an experimental school within Berkeley (California) High School. The young women draw on their own experience to discuss the different options open to women from various ethnic and class backgrounds. The film would be especially useful where the specific purpose of a class or workshop was to explore the relationship between racism and sexism. A handbook on sex bias in education, *In All Fairness*, accompanies the film.

For use with: junior and senior high school students, teachers, counselors, school administrators, parents.

**Sex-Role Socialization of Girls and Women–General**

| | | |
|---|---|---|
| "A Chance to Choose" | Available from:<br>American Personnel and Guidance Association<br>c/o The National Career Information Center<br>1607 New Hampshire Ave., N.W.<br>Washington, D.C. 20009<br>(202) 483-4633 Ex. 35<br>Purchase: call for information | 1 filmstrip<br>1 cassette |

This filmstrip presents the factors which contribute to the preparation of stereotypical trade and career patterns, and offers strategies for reversing those trends.

For use with: junior and senior high school students, teachers, guidance counselors, school administrators.

| | | |
|---|---|---|
| "Girls at 12" | Available from:<br>Education Development Center<br>39 Chapel Street<br>Newton, Massachusetts 02160<br>(617) 969-7100<br>Rental: $25 Purchase: $330 | Color<br>30 min. |

This documentary follows three young girls in their daily lives in a white, middle-class community outside Boston. The film reveals how teachers, parents, and other family members, however well-intentioned, transmit stereotyped messages about "proper" aspirations and behavior for girls. The student resource book and teacher guide, which accompany the film, make it a particularly useful classroom resource.

For use with: high school students, teachers, counselors, school administrators, parents.

| | | |
|---|---|---|
| "Vignettes to Accompany 'Girls at 12'" | Available from:<br>Education Development Center<br>39 Chapel Street<br>Newton, Massachusetts 02160<br>(617) 969-7100<br>Rental: $15 Purchase: $165 | Color<br>15 min. |

Five of the adults who appeared briefly in "Girls at 12" are interviewed concerning their perceptions of their own lives and their views on the changing role of women.

For use with: high school students, teachers, counselors, school administrators, parents.

| | | |
|---|---|---|
| "Growing up Female: As Six Become One" | Available from:<br>New Day Films<br>P.O. Box 315<br>Franklin Lakes, New Jersey 07417<br>(201) 891-8240<br>Rental: $15 Purchase: $375 | B&W<br>60 min. |

This documentary of the lives of six girls and women, ranging from age 4 to 35, depicts the ways that society is conditioning them into constricting roles. A 4-year-old girl is unfavorably differentiated from the boys by her nursery school teacher; an 11-year-old sacrifices her competitive skills in order to conform to a sex stereotype; a Black high school student is taught to be submissive to men; a 21-year-old secretary is shown to be the victim of manipulative sexist advertising; a Black mother reveals a subtle understanding of the unique bind of her dual minority role; and a housewife and mother expresses frustration with some aspects of her life.

For use with: high school students, teachers, counselors, school administrators, parents.

| | | |
|---|---|---|
| "The Labels and Reinforcements of Sex-Role Stereotyping" | Available from:<br>National Education Association<br>NEA Order Department<br>The Academic Building<br>Saw Mill Road<br>West Haven, Connecticut<br>(203) 934-2669<br>Purchase: $24.50 | 2 filmstrips<br>1 record |

A leader's manual is included with this filmstrip which is divided into two sections: "Femininity and Masculinity" and "The Reinforcement—Home, School, Community." Part I is concerned with the practices and traditions which have contributed to sex-stereotyped activities in educational settings, and suggests strategies for change. Part II traces the full cycle of the sex-role stereotyping process from infancy through adulthood.

For use with: junior and senior high school students, teachers, counselors.

**Positive Images of Women**

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|---|---|---|
| "Black Woman" | Available from:<br>Audio-Visual Center<br>Indiana University<br>Bloomington, Indiana 47401<br>(812) 337-8087<br>Rental: $14 Purchase: $265 | B&W<br>52 min. |

Originally seen on the television series *Black Journal*, this film features performances by Black female artists and discussions by Black feminists on the role and problems of Black women in U.S. society. The questions discussed include: Is there a Black matriarchy? Should Black women remain subservient to bolster the egos of Black men? Those appearing in the film include

singers and songwriters Novella Nelson, Lena Horne, and Roberta Flack; dancer Loretta Abbott; and poet Nikki Giovanni.

For use with: high school juniors and seniors, teachers, counselors, school administrators, parents.

"Choosing Changes"

Available from:
Agency for Instructional Television
Box A
Bloomington, Indiana 47401
(812) 339-2203
Rental: Apply
Purchase: $180 - 16 mm
$110 - video cassette

Color
15 min.

The film portrays a young woman who, already a success in her role as a chemical engineer, decides to undertake an ambitious underwater project which tests her faith in herself. The success of the project marks a new stage in her growth. The film could be used as a career awareness vehicle for girls or, more broadly, as a vehicle for discussion about risk-taking and growth for boys and girls.

For use with: students, grade 4 and up; counselors.

"Clorae and Albie"

Available from:
Education Development Center
39 Chapel Street
Newton, Massachusetts 02160
(617) 969-7100
Rental: $30 Purchase: $425

Color
32 min.

This film is the story of two Black women in their early 20's who followed different paths upon leaving high school. Clorae dropped out of high school, married, and had children. Now divorced, she is earning her high school diploma while taking care of her family. Albie, having spent a brief period at a small, predominantly white college and having worked at a variety of unrewarding jobs, has found challenging work and is continuing her schooling at a large university. Despite the difficulties of their past, the two friends are buoyant and optimistic about their futures. The resource book which accompanies the film provides numerous suggestions for incorporating the film into a school curriculum.

For use with: high school juniors and seniors, teachers, counselors, school adminsitrators, parents.

"The Emerging Woman"

Available from:
Film Images
17 West 60th Street
New York, New York 10023
(212) 279-6653
Rental: $45 for use in classrooms
$60 for organizations
$75 for others
Purchase: $350

B&W
40 min.

A documentary about the history of women in the United States, the film makes use of old engravings, photographs, newsreels, and other film clips to show the varied economic, social, and cultural experiences of women and how a woman's sex, race, and class often determined her priorities.

For use with: junior and senior high school students, teachers, counselors, school administrators, parents.

| | | |
|---|---|---|
| "Other Women, Other Work" | Available from:<br>Churchill Films<br>662 North Tovertson Blvd.<br>Los Angeles, California<br>(213) 657-5110<br>Rental: $21 Purchase: $250 | Color<br>20 min. |

This film presents some unorthodox job alternatives for women. Seven women are shown at their jobs, and are heard discussing their attitudes toward their work. We see a pilot, carpenter, truck driver, roofer, oceanographer, veterinarian, and broadcast journalist.

For use with: junior and senior high school students, teachers, counselors, school administrators, parents.

| | | |
|---|---|---|
| "Sex Role Development" | Available from:<br>CRM Educational Films<br>Del Mar, California 92014<br>(714) 481-8184<br>Rental: $35 Purchase: $295 | Color<br>23 min. |

Produced by *Psychology Today*, this film includes an animated sequence showing how differently boys and girls are socialized in our culture, scenes of a young couple trying to raise their son in a nonstereotyped way, and scenes of a preschool where women teach carpentry and men teach sewing and cooking to mixed classes.

| | | |
|---|---|---|
| "Young Women Sports" | Available from:<br>BEA Educational Media<br>2211 Michigan Ave.<br>Santa Monica, California<br>(213) 829-2901<br>Rental: $17 Purchase: $215 | Color<br>15 min. |

Four young female athletes—a discus thrower, gymnast, runner, and swimmer—are shown training and competing. They explore their feelings about strength, competition, and themselves as women and as athletes.

For use with: junior and senior high school students, teachers, counselors, school administrators, parents.

| | | |
|---|---|---|
| "The Woman's Game" | Available from:<br>Modern Talking Picture Service<br>2323 New Hyde Park Road<br>New Hyde Park, New York<br>(516) 437-6300<br>Rental: Free (Not available for purchase) | Color<br>26 min. |

Six sequences depicting girls and women involved in nonstereotyped roles are presented in this film developed for the U.S. Office of Education. The film shows a fourth grade class playing a nonsexist career education game, a former secretary in her new role as log truck driver, a postgraduate archeology student, a high school athlete, a director of a postsecondary aerospace education department, and an ocean engineer. A discussion guide accompanies the film.

For use with: students, grade 4 and up; counselors; parents.

| | | |
|---|---|---|
| "A World for Women in Engineering" | For information on lease/purchase:<br>American Telephone and Telegraph<br>Room 3355-C3<br>295 No. Maple Ave.<br>Basking Ridge, New Jersey 07920<br>(201) 221-4906 | Color<br>20 min. |

Women engineers, married and single, with and without children, and employed in all aspects of the trade, are shown at home and at work, and are questioned about the careers they have pursued.

For use with: junior and senior high school students, teachers, counselors, parents.

# APPENDIXES

## IDENTIFYING DISCRIMINATION–ANALYSES OF CASE EXAMPLES
(For Worksheet 2)

### Appendix A

**Example 1**

**Title VII of the Civil Rights Act and Title IX of the 1972 Education Amendments:**

Although additional data would be needed to ascertain that Ms. Chin's nonpromotion to an administrative position was discriminatory, the evidence provided would suggest a general pattern of nonpromotion of women and a specific lack of consideration of Ms. Chin's credentials. Discrimination through nonpromotion of qualified women to administrative positions is prohibited by Title VII of the Civil Rights Act and Title IX of the 1972 Education Amendments.

**Example 2**

**Titles VI and VII of the Civil Rights Act:**

Title VII states that selection and hiring of employees must be carried out without discrimination on the basis of race, color, religion, national origin, or sex. In this instance, the fact that a Black male with relevant qualifications for the position was rejected in favor of a white man without the special education credential would suggest the possibility of discriminatory practices. Title VI would also apply to the extent that employment discrimination affects the beneficiaries of the program, in this case, students.

**Example 3**

**Title IX of the 1972 Education Amendments:**

The Title IX regulation prohibits the provision of differential programs on the basis of sex. According to the regulation, vocational schools operated by local education agencies may not be segregated on the basis of sex.

**Example 4**

**Title VI of the Civil Rights Act:**

The assignment of students to courses or imposition of testing or evaluation requirements upon students on the basis of their race is discriminatory and in violation of Title VI. Black students may not be required to enroll in courses or to meet performance requirements if such enrollment or performance is not required of other students.

**Example 5**

**Title IX of the 1972 Education Amendments:**

No student may be compelled to attend a special program on the basis of pregnancy or related conditions. Furthermore, a pregnant student must be permitted to continue in her regular classes and activities unless there are medical contraindications of such participation. Certification of medical capability for continued participation in regular classes and activities may be required of pregnant students only when it is also required of students for other forms of temporary disability.

Example 6

Title IX of the 1972 Education Amendments and Title VII of the Civil Rights Act:

Although schools may provide referral services for employers, they are prohibited from maintaining sex-segregated lists. Maintenance of such lists for work-study purposes would be in violation of Title IX; maintenance of such lists for postgraduation referral would be in violation of Title IX and of Title VII of the Civil Rights Act.

Example 7

Title IX of the 1972 Education Amendments and Title VII of the Civil Rights Act:

The linking of job qualifications that would result in a disparate impact on the employment opportunities of members of one sex is prohibited by Title IX and Title VII. Capability to provide social studies instruction must be the relevant qualification to be examined when hiring for a social studies position. Qualifications, requirements, or criteria used for employee selection may not place a disparate burden on one sex unless such qualifications or criteria have been demonstrated to be valid predictors of success in the particular job under consideration and alternative criteria are not available.

Example 8

Title IX of the 1972 Education Amendments and Title VII of the Civil Rights Act:

The Title IX regulation states that pregnant employees may not be forced to leave their positions at an arbitrary date established by administrative policy. The determination of the time at which a pregnant woman may be unable to continue professional duties must be made on the basis of medical consultation between a woman and her physician. Title IX and related case law require that pregnancy and medically related conditions be treated as other forms of temporary disability.

Example 9

Title IX of the 1972 Education Amendments:

According to the Title IX regulation, when overall competitive sports opportunities have been denied or limited for members of one sex, members of that sex must be permitted to try out for teams provided only on a segregated basis for members of the other sex when such teams do not involve contact sports. Thus, a female must be permitted to try out and be admitted to the male swim team if she can meet the objective standards established for participation and team membership.

Example 10

Title IX of the 1972 Education Amendments:

Sex discrimination in the use of counseling instruments and the provision of counseling services is prohibited by the Title IX regulation. Provision of test results based on sex-differentiated norms is permitted only if boys and girls are provided with reports of their scores according to both sets of norms. Schools may not use tests or other materials for evaluating or counseling students which cover different occupational or interest areas unless their use is shown to be essen-

tial to the elimination of sex bias. Care must also be taken to ensure that students understand the meaning of such tests and are provided opportunities for clarification. Institutions using sex-differentiated instruments must be able to demonstrate that alternative instruments which do not so differentiate are unavailable and that the instruments are used in a nondiscriminatory fashion.

## SAMPLE TITLE IX GRIEVANCE PROCEDURES A AND B–ANALYSES
(For Worksheets 6 and 7)

Appendix B

**Overview:**

An attempt to analyze "Sample Title IX Grievance Procedures" A and B according to the "Checklist for Evaluating the Content of Grievance Procedures" makes apparent the range of specificity with which grievance procedures may be written. Of the two sample procedures, procedure "B" is clearly the more specific, and the easier to evaluate on a "yes" or "no" basis. This degree of specificity would also make the procedure easier to use and to administer.

Procedure "A" is particularly weak in the following respects:

- no reference is made to the existence of a procedure for the resolution of student complaints of discrimination
- the role of the local EEO counselor, although apparently critical at the initial stage of grievance processing, is not defined in any way
- the definition and the form of a "formal complaint" are never specified, despite the key significance of the formal complaint in the procedure
- no timelines are specified in points 3, 4, and 5 of the procedure
- the form in which grievance appeal must be filed is not stated
- the form in which the final appeal is to be filed is not specified

Procedure "B" lacks specificity regarding:

- timelines for the filing of a complaint
- methods for informal grievance resolution
- the role of the compliance Coordinator in Level Two of the Procedure

Neither procedure specifically provides assurances of basic procedural rights for all parties to grievance beyond those provided in progressive levels of grievance decisionmaking. Neither provides for differential levels of initial grievance referral.

**"Checklist" responses:**

Although the wide range in specificity of procedures leaves room for some differences in interpretation and a qualitative analyses of the two procedures is desirable, it may be useful to use the "Checklist" responses provided below as a general measure of analysis of the two procedures.

| | Procedure A | Procedure B |
|---|---|---|
| **Initiation and filing of grievances:** | | |
| **Does the grievance procedure:** | | |
| 1. Provide clear and adequate definitions of who may grieve, of what issues may be covered by grievances, and of the terms used throughout the procedure? | No | Yes |
| 2. Cover all students and employees? | No | Yes |
| 3. Clearly state the form and procedure for filing of grievances? | No | Yes |
| 4. Specify any applicable time limits for the initiation of a grievance? | Yes | No |
| 5. Provide for assistance to grievants in the filing/preparation/processing of a grievance? | No | No |
| 6. Specify the responsibilities of institutional/agency staff for the receipt and initial handling of grievances? | Yes | Yes |
| 7. Provide methods for informal and prompt resolution of grievances when further processing is not needed? | Yes (unclear) | No |
| **Processing of grievances:** | | |
| **Does the grievance procedure:** | | |
| 1. State the number and levels of steps for grievance processing and the criteria for initial referral to each level? | Both specify steps: neither uses differential referral. | |
| 2. State the form of grievance presentation and processing (oral/written; hearing officer/hearing panel; etc.) at each step? | No | Yes |
| 3. Specify the criteria and procedure for the assignment of initial hearing levels? | Neither provides for differential assignment. | |
| 4. Delineate procedures and responsibilities for notification of all parties at each processing level? | No | Yes |
| 5. Delineate timelines for all activities within the grievance procedure? | No | Yes |
| 6. Specify the procedures which shall be used in conducting grievance hearings? | No | No |
| –amount of time allocated to each hearing? | No | No |
| –amount of time allocated to each party to the grievance? | No | No |
| –right of each party to representation and assistance? | No | No |

| | Procedure A | Procedure B |
|---|---|---|
| –right of each party to present witnesses and evidence? | No | No |
| –right of each party to question witnesses? | No | No |
| –roles of persons involved in the hearing? | No | No |
| –right of grievant to determine whether hearing shall be open to the public? | No | No |
| –provisions/requirements for recording the hearing? | Yes | No |
| 7. Specify any requirements for submission of written information by grievants or others? | No | Yes |
| 8. State the form and the timelines for the preparation of grievance decisions? | No | Yes |
| 9. Clearly state the procedures and the timelines for the grievant's acceptance or appeal of grievance decisions? | No | No |
| 10. Specify the roles and the selection of persons involved in grievance processing? | No | No |
| **Basic and procedural rights:** | | |
| **Does the grievance procedure:** | | |
| 1. Provide grievants with the right to appeal to progressive levels of decisionmaking? | Yes | Yes |
| 2. Provide assurances regarding the impartiality of hearing officers? | No | No |
| 3. Provide for confidentiality of grievance proceedings if so desired by the grievant? | No | No |
| 4. Provide for grievants' access to relevant institutional/ agency records? | No | No |
| 5. Provide for the protection of grievants and respondents from harassment and entry of information into student and personnel files? | No | No |
| 6. Provide for confidentiality of grievance records if so desired by the grievant? | No | No |

## SAMPLE TITLE IX GRIEVANCE ANALYSES
(For Worksheets 9-16)

### Appendix C

In each instance, the answers provided are based on the assumption that the information provided in the grievance has been confirmed.

**Julio Vargas**

**Violation of Title IX – Yes**

The failure to notify students, employees, and parents of elementary and secondary students regarding Title IX compliance policies would be a violation of the Title IX regulation. If the other procedural requirements—designation of a compliance officer, development of a grievance procedure, and completion of an institutional self-evaluation—have not been completed, these would also be Title IX violations. [§86.9] [§86.8] [§86.3(c)]

**Corrective actions:**

- Develop a policy statement regarding nondiscrimination and Title IX compliance and notify all students, employees, and parents of this policy.
- Designate a compliance officer who is responsible for coordinating efforts to comply with Title IX.
- Develop a written grievance procedure for processing Title IX complaints and notify all students and employees of its existence.
- Complete an institutional self-evaluation.

**Remedial measures:**

- Provide workshops for all personnel to inform them of Title IX requirements.
- Provide briefings or workshops for school board members to inform them of Title IX requirements and their legal responsibilities for compliance.

**Friends of Education**

**Violation of Title IX – No**

The Title IX regulation specifically exempts coverage of textbooks and instructional materials and cites the First Amendment's guarantee of freedom of expression as a possible conflict. The preamble to the regulation, however, recognizes the problem of sex bias in textbooks and instructional materials and urges state and local education agencies to take appropriate actions.

It should also be noted that the Title IX regulation does not require the extension of the grievance procedure beyond students and employees, but a local education agency may wish to permit community groups to use the local grievance procedure.

**Flo Perkins**

**Violation of Title IX – Yes**

Job classifications may not be sex designated unless a bona fide occupational qualification (BFOQ) based on sex is involved (e.g., locker room attendants). Two factors mitigate against a BFOQ in this case: a) replacing light bulbs is not a major activity of the janitor job, and b) it has not been established that women cannot replace light bulbs. [§86.61]

**Corrective actions:**

- Ensure that Ms. Perkins is given fair consideration for the next available janitorial position.
- Modify the job classification to eliminate sex differentiation.

**Remedial measures:**

- Notify all personnel currently occupying matron or janitorial positions of the change in policy.
- Review all job classifications and modify them as necessary to eliminate sex differentiation.
- Review all job announcements and position descriptions to ensure nondiscrimination.
- Develop written statements of skill requirements for all positions and provide all applicants the opportunity to be tested according to these job-related criteria.

**Nancy Holgate-Wilson**

**Violation of Title IX – Yes**

The selective harassment of students on the basis of sex would be a violation of the Title IX regulation. [§86.31(b)(1-4(8)] [§86.34]

**Corrective actions:**

- Inform metals class instructor, Bob Hawker, that his behavior violates the Title IX regulation and instruct him to cease his harassment of female students.
- Inform Vennie Lawrence that Bob Hawker has been instructed to cease his harassment and that she may notify the principal if she is harassed again.
- Provide Vennie Lawrence the opportunity to transfer to another metals shop class.
- Develop and disseminate a policy statement regarding teachers' responsibilities for nondiscriminatory treatment of students.

**Remedial measures:**

- Make a survey to identify those female students who have been interested in metals class or in other sex-segregated courses. Encourage these students to enroll in such classes if they are still interested.

- Develop and disseminate guidelines to instructional staff regarding nondiscriminatory treatment of students on the basis of sex.

- Provide relevant in-service training programs for instructional personnel.

- Provide all students with information and counseling regarding the changing roles of women and men in the world of work and in other life areas, and the importance of considering a variety of course options, both traditional and nontraditional.

**Katrina Breedlove**

**Violation of Title IX – Yes**

The use of sex differentiated criteria for admission to a vocational school or program is prohibited by the Title IX regulation. [§86.21(b)(2)]

**Corrective actions:**

- Admit Katrina Breedlove to the auto mechanics course without a statement of job availability (or require that male students also produce a signed statement of a job opportunity in order to be admitted).

- Prepare and disseminate to all relevant staff a policy statement regarding nondiscriminatory standards for admissions in vocational educational schools and courses.

**Remedial measures:**

- Survey all women in the school (or feeder schools) to identify any interested female students who have been denied admission or discouraged from enrollment in auto mechanics due to the job opportunity guarantee requirement. Females who are identified as having been denied/discouraged from enrollment should be contacted to ascertain current interest and provided opportunity for enrollment in auto mechanics.

- Inform all students of their equal opportunity to enroll in auto mechanics and other vocational education courses.

**Connie Jacobs**

**Violation of Title IX – Yes**

Rules which mandate or permit differential treatment of male and female students on the basis of their marital or parental status would be in violation of the Title IX regulation. [§86.40 (b)(2)]

**Corrective actions:**

- Reinstate Connie Jacobs as a member of the cheerleading squad.

- Develop a policy regarding the nondiscriminatory treatment of male and female students on the basis of the marital or parental status in all curricular and extracurricular activities.

**Remedial measures:**

- Develop and disseminate to all staff guidelines for ensuring nondiscriminatory treatment of male and female students with regard to their marital or parental status.

- Survey staff to ensure that other students have not been denied opportunities in extracurricular activities on the basis of the previous policy regarding parental status. If any instances are identified, inform these students of their right to participate in extracurricular activities.

**Angelo Scalva**

**Violation of Title IX – Yes**

Providing parallel sex-segregated activities in coeducational classes would not meet the requirements for integrated physical education courses. Students may be segregated on the basis of sex only for those portions of the class which are devoted to contact sports. In addition, sexually disproportionate groupings which result from the application of appropriate, objective tests of ability are permitted. [§86.34(a-c)]

**Corrective actions:**

- Issuance of a policy directive requiring:

  –integration of activities for male and female students during physical education classes except during participation in contact sports.

  –assignment of female and male teachers on the basis of skills rather than on the basis of sex.

**Remedial measures:**

- Development and dissemination of policy guidelines regarding student grouping and assignment of staff in coeducational physical education classes.

- Review of physical education curriculum to ensure provision of a sufficient variety of activities to meet the needs of all students.

**Evelyn Marcus**

**Violation of Title IX – Yes**

Assignment of supervisory responsibility on the basis of sex and the issuance of keys to male staff only would be discriminatory. The Title IX regulation does not prescribe any specific administrative structure, but no structure may be used which results in a disparate effect on employees of one sex. [§86.51(a)] [§86.55(a)]

**Corrective actions:**

- Require the department chairperson to provide keys to all personnel with legitimate need for access to equipment.

- Require the department chairperson to delineate the requirements for supervision of physical education classes and assign staff to supervisory responsibility on the basis of their qualifications rather than on the basis of sex.

**Remedial measures:**

- Provide physical education staff guidelines for the nondiscriminatory assignment and treatment of staff.
- Provide relevant in-service training to all physical education staff.